Affluent in the Face of Poverty

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Affluent in the Face of Poverty

On What Rich Individuals Like Us Should Do

Een wetenschappelijke proeve op het gebied van de Filosofie

Proefschrift

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door
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te Geleen

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Dankwoord

Dit boek is in de loop van een aantal intense jaren tot stand gekomen. Van 2002 tot 2006 kreeg het in Nijmegen, en voor een deel in Leuven, zijn vorm; maar de eerste basis ervoor werd al gelegd in Berkeley in 2000 en 2001. Ik ben talloze mensen die in deze jaren een stukje, of een hele weg, met mij zijn meegelopen, erg dankbaar. Ik ben bang dat ik ze hier niet allemaal naar voren kan halen, maar een aantal van hen wil ik zeker niet ongenoemd laten.

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Nijmegen, voorjaar 2007 JMP

1 Introduction

What Should Rich Individuals Like Us Do About Poverty?

1.1 The Central Question

'Falta alguém' ... someone is missing. With these words, the Brazilian writer Ferréz dedicates a book to a deceased friend,[1] one who probably fell victim to violence in a São Paulo shantytown. Such violence is only one – although possibly the most extreme – of the many horrors that daily life holds for the Brazilian urban poor.

If you are reading this study, the chances are that you are not poor.[2] Neither is its author. Yet in our time we know very well the conditions faced by many poor people. Therefore the question of what rich individuals should do about poverty readily arises. This is the *central* question explored by this study, along with some more specific questions, such as: How much money should wealthy individuals spend on fighting poverty? and, What restrictions should the wealthy place on the extent and orienttation of their expenditure in the light of poverty?

As will be discussed in more detail towards the end of this introduction, our main method of further clarifying the central question will be to consider it in relation to some of the most important forms of moral theorizing. We will start by discussing the case for consequentialism, a theory that states that one should always act to achieve the best results, the best-known contemporary philosophical proponent of which is probably Peter Singer. This theory tells wealthy people that in a number of circumstances they should do a great deal to fight poverty, circumstances that quite possibly occur presently in wealthy societies. We will then consider whether consequentialism should be abandoned in favour of an alternative theory.

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[1] Ferréz (2000).

[2] As Tim Mulgan (2001) aptly remarks on the first page of his book, which deals with a similar theme to the present study.

The first alternative suggests that consequentialism should be abandoned because in some sense what it demands is too costly for the agent to undertake. The best-known criticism of this sort comes from Bernard Williams. Another alternative is to approach morality in a contractualist way, with the most famous contemporary example of such an approach being John Rawls's institutional theory. After considering these theoretical approaches, we will arrive at a provisional position concerning our central question, which we will then subject to further important criticisms before attempting to make our final position more concrete.

To obtain a better feel for the kind of situations that prompt the central question, we will continue the introduction by providing an impression of the living conditions in what are commonly considered to be the poor neighbourhoods of Brazilian cities. This impression will be followed by a clarification of the concepts of 'poor' and 'rich'. We will then provide further clarification of the central question as well as responding to some possible doubts concerning the adequacy of this question. Finally, our approach shall be described in greater detail.

1.2 A Case of Poverty

Instead of Ferréz's friend let us imagine the living conditions of another typical poor person from a deprived neighbourhood in Brazil.[3] This person may well need to cope with poor housing, bad labour conditions, and a great deal of violence. Mainly from the 1940s onwards, many poor neighbourhoods (called *favelas*) arose when poor people from the countryside came to the towns in search of a better life, becoming squatters on unwanted pieces of land such as river banks and hillsides. While for many eastern cities such as São Paulo, Rio de Janeiro and Recife, this immigration has ceased, many *favelas* remain on precarious land which is subject to periodic flooding or landslides during heavy rainfall. On the other

[3] This brief impression of Brazilian urban poverty mainly draws on Caldeira (2000), Eakin (1997), Kowarick (2000), Scheper-Hughes (1993), Souza (2000), Sposati (2001) and Valenzuela Arce (1999). Most of these studies concern the Brazilian southeast, although some look at the northeast, and some are more general. I do not always distinguish between the two regions just mentioned. Two recent studies that provide some statistical data about many of the aspects of poverty described in the text are Campos et al. (2004) and Pochmann et al. (2005).

hand, many *favelas* have undergone, or are still undergoing a process of 'urbanization', that is, a process in which services and infrastructure such as sewage, electricity, pavements, postal services and street names are put in place. A number of poor people now own modest properties and many are undertaking their own rebuilding, enlarging their houses in a process that often continues for many years. For those who do not own homes, however, the possibilities to purchase them are limited by a very restrictive mortgage system.

As far as hunger, malnutrition and the lack of safe drinking water are concerned, the picture is mixed. In some areas, mainly in Brazil's dry and very poor northeast, the goal of 'fome zero' (zero hunger) adopted by the former trade unionist Lula (Luiz Inácio Lula da Silva) on becoming president, is a considerable challenge, as is the provision of safe water and decent sanitation facilities. In other areas, such as the richer southeast, hunger, water and sanitation are less frequently a problem. Health care, however, remains a problem for many, with public facilities often being inadequate and many people unable to afford expensive private health insurance.

Also, many of the urban poor have trouble obtaining a decent education leading to a decent job. Functional illiteracy is still high in Brazil, even if strict illiteracy is not too high, and many are not well educated. As a result, their employment opportunities are limited to the least desired jobs. The work undertaken by a large proportion of the urban poor involves bad primary and secondary labour conditions with many working for a minimum wage. Such workers earn about R$350 per month (Brazil's current currency is the *real*, which abbreviates as R$), the purchasing power of which is equivalent to about US$350. Also, many poor people hustle for a living in the grey economy, which is enormous and vibrant. Everywhere in the cities, including the many *favelas*, there is a lot of trade in mostly cheap products such as chewing gum and lighters. However, outright unemployment is also high, and for many of the unemployed no support system is in place.

Against this background it is understandable that many, mainly male youths, feel drawn to the 'fast life', that is, to making money in youth gangs and drug trafficking – even if such a life has evident drawbacks, including a significant risk of violent, premature death. Although gangs and the drug trade are mainly male youth phenomena, they may be the most striking characteristics of poor neighbourhoods on the whole. Many

favelas are a state within the state, subject to the often very strict safety codes of drug lords and the like, and with residents living under the threat of periodic shoot-outs between criminals, and gang members and the police. Meanwhile, the poorly paid police officers are often more of a problem than a solution. Unsurprisingly, the precarious day-to-day existence of many poor people frequently engenders a relatively short-term logic and a rather materialistic view of the good life, where this consists primarily in attaining all possible kinds of goods and pleasures. However, behind this is also a campaign for respect: the street hierarchy offers its own means for the underprivileged to 'be someone' – to gain a measure of respect that is hard to come by if one abides by the codes of society at large.

Nevertheless, many wish to undertake more mainstream occupations, even if this means tolerating bad labour conditions. We might add that in Brazil, the blacker one's skin, the more precarious life is with respect to work and income – the story of a Brazilian 'racial democracy', that is, of a society without racial discrimination and prejudice, is a myth. For those choosing this more common path, religion may offer particular solace (as may the soap series) in the face of prejudice and other daily hardships, such as violence or having to raise one's children alone, as do many poor women. Brazil used to be a self-evidently Catholic country – even if its Catholicism allowed for the intermixing of other traditional practices, many of them African. However, after base movements and liberation theology had come and gone, religion often developed an evangelical flavour, and many, though by no means all, of the new evangelical movements are Protestant. These movements are generally socially conservative and apolitical, further alienating the poor from politics.

Still, religion in its many forms is often one phenomenon which testifies to the resilience of the Brazilian poor, and to the fact that not everything is bad. It is definitely a cliché to speak of 'jeito' here, the ability to make the best of every situation and to find a way out, which is found along with what is called, by another national Brazilian word, 'saudade', the longing for another place and time and the feeling that someone or something is missing here and now. Yet, as far as I can see there is an element of truth in the suggestion that both aspects are deeply ingrained in the temperament and 'way of life', if there are such things, of Brazilians rich and poor alike, along with a number of other cultural symbols associated with Brazil by way of cliché, such as samba, football and Carnival.

Finally, lifelong poverty is very different from transient poverty that lasts just a few years. However, it remains very hard to escape poverty. Those able to make the social move and become middle class, or even become very rich, in many ways enter another world. Let me say just a few words about this world so as to present a more balanced picture of the Brazilian urban landscape.[4] In Brazil, many middle-class and rich individuals live behind walls, often in closed condominiums. They have their own shopping malls with fashionable clothing and luxury goods, often in even more abundance than their Western counterparts. Not that the poor are totally excluded from this world: they are engaged as the janitors, maids and errand-boys of the rich. Also, they can look up at the apartments of the rich or, especially in Rio, down on them from the steep hills on which many of the *favelas* are built. In return, the wealthy of Brazil see everywhere around them the reality of the poor that we see on TV – however high the walls of their homes.

1.3 Clarification of the Central Question

1.3.1 Poor and Rich

What do we mean by 'poor' and 'rich'? In this study, the term 'poor' refers to someone who lacks real freedom to do and be certain basic things. In other words, someone is poor when they cannot actually do and be certain things.[5] They have, for example, no real freedom to obtain clean drinking water, adequate food, decent housing, sewage, decent health care, and a safe environment. Also, they may lack the real freedom to follow appropriate educational and professional paths and to enjoy the respect of the wider society. This way of describing poverty is taken from Amartya Sen's 'capability approach', where 'capability' is his term for real freedom.[6] Sen sees poverty as the 'failure of basic capabilities to

[4] Recent studies of the rich include Caldeira (2000) and (mainly on the very rich) Pochmann et al. (2004).

[5] For more on the notion of real freedom, see section 6.1.2 below.

[6] See e.g. Sen (1992, 1993, 1999). Sen uses the technical term 'functioning' for doing and being certain things. The capability approach is also, in a slightly different version, defended by Martha Nussbaum (e.g. 2000), and from 1993 onwards it has become influential in the Human Development Reports of the UN.

reach certain minimally acceptable levels,'[7] where 'basic' means 'elementary, crucially important'.[8] Sen does not provide a list of such capabilities. Different purposes might, according to him, require different lists. For the Brazilian case that we have sketched, the lacks listed above, such as a lack of real freedom to have a safe environment, may be the most important.[9]

It may be noted that in terms of distinctions that are common in much of the literature on poverty, our way of looking at poverty can be called objective, absolute and multidimensional.[10] As it would take too much space to discuss and defend these characteristics, I will restrict myself to stating their meaning.[11] Our approach is objective rather than subjective because it considers someone to be poor according to certain objective criteria rather than their self-perception. It is absolute rather than relative because it defines someone as poor by examining certain aspects of their situation that do not involve comparing this situation with that of others.[12] Our approach is multidimensional rather than unidimensional because its definition of someone as poor depends on many different aspects rather than on just one thing such as income.

In our nomenclature, those who are not poor are classified as rich. The term applies to those who have all (or almost all) the real freedoms just mentioned.[13] Generally, however, we mean those who are at a comfortable distance from being poor, even if they are not what are commonly called the super rich. For our purposes here, in order to have a vivid picture of

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[7] Sen (1992), p. 109. Sen admits that poverty may well be associated with income shortfalls and the like, but he suggests that what is important about income is how it leads to the fulfilment of basic capabilities.

[8] Ibid., p. 45n.

[9] Obviously, we should also call someone poor if they lack most of these freedoms, but not all.

[10] See e.g. Sanchez-Jankowski (2001), Ravallion (2006).

[11] For a defence of an objective rather than a subjective approach for a case where a lot hinges on it – namely, for the case of a theory of the good life –, see section 6.1.1 below.

[12] Actually, our approach to poverty cannot be totally absolute in this sense: many things that the poor lack have relative aspects, some very clearly, such as the real freedom to be respected by the wider society. Furthermore, to say that our definition is not relative in the above sense is not to deny that it can be relative in the sense that the level of which we call someone poor differs between (and also within) countries. However, such differences will be rather small in terms of capabilities; they will mostly be differences in the amount of resources needed to realize these capabilities (cf. Sen 1984).

[13] We shall consider the words 'wealthy' and 'affluent' to be synonyms of 'rich'.

those who in our use of the terms are the rich and the poor, we can say that the rich are those who live in middle-class apartments or mansions, while the poor are those who live in slums.[14]

It may be useful to add that in this study the words 'poverty' and 'riches' will not be used in any 'spiritual' sense. 'Spiritual poverty' is a very vague term that is best avoided, since it can encompass anything good as well as anything bad.[15] Furthermore, 'poverty', as we use the word, does not refer to 'voluntary poverty'.[16]

1.3.2 What Rich Individuals Like Us Should Do

When we ask what we as individuals should do about poverty we are asking what we should do *morally*.[17] To understand better what we are asking when we question what we should do about poverty I might imagine a judge who, from an external position, determines whether our behaviour towards the poor has been good enough. In using this image, it could easily be suggested that such a judge would have to be a kind of god, and this is obviously a problematic interpretation.[18] However, the

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[14] This visualization is best applicable to urban contexts and it is somewhat of a generalization. For example, not all the urban poor live in poor neighbourhoods.

[15] A google search for this expression has amusing effects.

[16] A very good discussion of the risks of extending the word 'poverty' to cover spiritual and voluntary phenomena is found in the classic book of liberation theology by Gutiérrez (1972), Ch. 13.

[17] Unless otherwise stated, I shall use the expression what we 'should do morally' interchangeably with expressions such as what 'moral requirements', 'moral obligations', or 'moral duties' we have. For largely similar usage, see Singer (1972), note 2.

By 'ethics', I will usually mean the branch of philosophy that thinks about the moral. Others, like Peter Singer in the quote below, may use the terms 'ethics' and 'ethical' differently, e.g. to refer to what I call 'moral'. Furthermore we may, in my usage, refer to the theories that ethicists develop about the moral either as 'moral' theories or 'ethical' theories.

[18] The text that comes to mind most readily when we speak of a judge is probably Matthew 25: 31–46. One should hesitate to put too much emphasis on it, because it has too many religious undertones as well as undertones of fear of punishment, which for our purposes should absolutely be avoided. In addition, the text also has many exegetical problems. Still, because of its forcefulness it is worth quoting in full:

image is only a visualization and does not presuppose an actual lawgiver. The visualization conveys the idea of someone judging us from a position external to our life, while taking into account all the important considerations that present themselves to us when undertaking one action or another. As Peter Singer suggests, many philosophers and authors share the following, broadly similar idea:[19]

> ... the notion of the ethical carries with it the idea of something bigger than the individual. If I am to defend my conduct on ethical grounds, I cannot point only to the benefits it brings me. I must address myself to a larger audience.[20]

When I ask what rich individuals like us should do I mean to address myself to all rich individuals – leaving aside the fact that some hold particular positions which add to their level of engagement with the issue of

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> When the Son of man comes in his glory, and all the angels with him, then he will sit on his glorious throne. Before him will be gathered all the nations, and he will separate them one from another as a shepherd separates the sheep from the goats, and he will place the sheep at his right hand, but the goats at the left. Then the King will say to those at his right hand, 'Come, O blessed of my Father, inherit the kingdom prepared for you from the foundation of the world; for I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me, I was naked and you clothed me, I was sick and you visited me, I was in prison and you came to me.' Then the righteous will answer him, 'Lord, when did we see thee hungry and feed thee, or thirsty and give thee drink? And when did we see thee a stranger and welcome thee, or naked and clothe thee? And when did we see thee sick or in prison and visit thee?' And the King will answer them, 'Truly, I say to you, as you did it to one of the least of these my brethren, you did it to me.' Then he will say to those at his left hand, 'Depart from me, you cursed, into the eternal fire prepared for the devil and his angels; for I was hungry and you gave me no food, I was thirsty and you gave me no drink, I was a stranger and you did not welcome me, naked and you did not clothe me, sick and in prison and you did not visit me.' Then they also will answer, 'Lord, when did we see thee hungry or thirsty or a stranger or naked or sick or in prison, and did not minister to thee?' Then he will answer them, 'Truly, I say to you, as you did it not to one of the least of these, you did it not to me.' And they will go away into eternal punishment, but the righteous into eternal life.

[19] Yet it is not equally compatible with all moral theories, as we shall see. This is inevitable: everywhere, and in ethics more than in many other fields, one only understands what one is asking by presupposing a partial answer.

[20] Singer (1993a), p. 10. The visualization also allows that the question of what I should do morally is different from the question of what it is practically rational to do. Cf. e.g. Scheffler (1991).

poverty. Furthermore, I mean to distinguish individuals from governments and other institutions (such as transnational corporations). This focus on individuals may invite criticism, to which we now turn.

1.4 Doubts about the Central Question

1.4.1 Why Focus on this Question?

Is the question of what rich individuals should do to fight poverty not the wrong question to concentrate on? Poverty, it could be suggested, is best fought by good institutions such as good governments and markets and a vibrant civil society. One should therefore focus on how to bring about institutional reform rather than on what rich individuals should do.

It is beyond doubt that good institutions are in many ways the most important for the eradication of poverty. Even so the question of what rich people like us should do has a special importance. It is, for each of us, a question concerning what *I* personally should do.

A further doubt is whether one should, at a more specific level, give special attention (as we will do) to the question of how much *money* rich individuals like us should spend on fighting poverty, and what restrictions on our lifestyle should be applied when we are spending money. The answer is that there is no necessity to specifically focus on these questions; one could also, for example, focus on how individuals could work for institutional reform. Focusing on money has obvious risks, such as suggesting that giving financial assistance is the most important thing we should do. Moreover, this focus risks evoking simplistic ideas of how poverty reduction could work, such as the idea that transferring wealth could resolve the issue. Such risks cannot be stressed enough. Still, the advantage of bringing the monetary issue somewhat to the forefront is that it makes matters concrete and inescapable. For example, it is striking to suggest that 'a household making $100,000 could cut a yearly check for $70,000'.[21]

[21] Singer (1999).

1.4.2 Can Our Contributions Be Meaningful?

Another doubt that could be expressed is whether as a rich individual I can make meaningful contributions to fighting poverty. If not, our central question is an academic one and therefore less interesting. I consider that to be able to make a meaningful contribution to fighting poverty three conditions must *all* be fulfilled.[22] Firstly, and obviously, there must be some combinations of actions that can be taken against poverty which can be expected to be considerably better than doing nothing. Secondly, I must be able to find out what these actions are, and thirdly, my contribution to those courses of action must itself make a meaningful difference.

We shall take the first two conditions together. We do have some ways of discerning combinations of actions that seem considerably better than doing nothing against poverty, such as becoming personally acquainted with situations where there is a lot of dire poverty, or through relatively transparent labelling practices which can inform us, for example, that the work of NGOs is acceptable and that products from particular countries are produced in acceptable ways.[23] These two ways of discerning something about particular actions or situations often remain open to us even if the involvement of the media sometimes greatly obscures what is going on. The important thing is of course to provide convincing examples of actions that can be discerned through such means, and which are clearly better than doing nothing.[24] An example might be certain projects aimed at concluding truces between youth gangs and engaging them in the constructive rebuilding of their neighbourhoods. Other examples are provided by certain projects to supply healthy food and health care information to schools, or certain projects to educate unemployed youths in poor urban

[22] The following discussion owes much to Chs. 3 and 4 of Cullity (2004).

[23] Such practices are now rapidly emerging and reducing their shortcomings. One relatively well-established Dutch practice is CBF labelling.

[24] For a discussion that includes an extensive survey of the empirical literature see Cullity (2004), Ch. 3. Cullity concludes:

> The view that aid is harmful enough to undermine the case for thinking that the rich are morally required to help the poor is unwarranted. This is so for two simple reasons: at least some forms of aid are helpful, and help need not take the form of humanitarian aid. (2004, p. 48)

neighbourhoods and provide them with jobs.[25] However, we should not only think of what is commonly called humanitarian aid (such as providing health care information and schools). We can also think of many forms of lobbying, for example, lobbying a government to punish police officers who perpetrate extrajudicial killings and other crimes. It is true that all the actions and projects referred to in such examples need ceaseless critical scrutiny[26] – even when they are not likely to be actions that merely line the pockets of corrupt officials, breed dependency or denigrate people. It is always possible that they have dark sides, such as when the involvement of NGOs encourages governments to shirk their duties, or when their work unintentionally creates new problems such as cultural displacement. Nevertheless, it would usually be far-fetched to assert that projects such as those mentioned in the examples, do at least as much harm as good.

The third condition – that my personal contribution must itself make a considerable difference to the poor – may often be hard to meet.[27] Even if, for example, I find an NGO with a particular project that can make a meaningful difference, this project will seldom stand or fall on the basis of my contribution. If the project goes through – or not – regardless of what I do, then it seems that *my* contribution makes no difference. However, a different way of calculating my contribution would be to take my part of the total contributions to the project and to multiply it by the difference that the project is expected to make.[28] It would take us too long to go into

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[25] Several World Development Reports (e.g. 2003, 2004, 2007) provide examples of Brazilian government endeavours (local, state or federal) that have met with considerable success. They concern the regularization of *favelas* in Recife and elsewhere (which means, among other things, providing them with services and giving them legal recognition); improving the health situation of poor households in Ceará (via health workers and by other means); and several nationwide efforts to stimulate youths to stay in school or go back to school (such as a scholarship called the *Bolsa Famila*).

[26] For some broader useful reminders of the many risks of humanitarian aid – and also of money transfers – as well as of other endeavours to do the good, just and noble, see Vandevelde (2005).

[27] Cullity (2004) discusses this condition in Ch. 4. He thinks that arguments of fairness are needed if we are to say that I should still do my part even if it only makes a considerable difference when considered together with what others do.

[28] Whether I can make a substantial difference according to this formula will depend on the circumstances. To take a stylized and schematic example: if 100,000 equal actions free one person who has been unjustly imprisoned, I will – by performing one action – have freed

this in depth, but this second way of calculating the difference I could make seems at least as convincing as the first. Nevertheless, even if we suppose that the second method of calculating was untenable, and that we should say that I make no difference if the project went ahead without me, or not, it is still possible to think of situations where my contribution would be meaningful, namely, where things would *not* go ahead in the same way if I did not contribute. This could be, most evidently, because my action is meaningful beyond the contribution of others. Or it could, for example, be because my action has such an influence on what others do, that it makes a meaningful contribution to a project for this reason.

In short: it is probable that I can discover some responses to poverty that are better than doing nothing, and that I can make a meaningful contribution to these measures. This suggests that the central question of this study is not likely to be merely academic.

1.5 The Approach of this Study

The answer to the question of what rich individuals like us should do against poverty depends on many things. To begin with, as we saw above, this answer depends on whether we can do anything meaningful. If so, *what* we should do depends at least on *which* courses of action are meaningful, and what we should do about *poverty* depends at the very least on what else is happening in the world. Such considerations could be multiplied. I take it, however, that when we ask what we should do about poverty, what most interests us is to find answers to such questions as the following: Should we always do what produces the best results? Or should we produce the best results when we can at little cost to ourselves, and need we otherwise not produce such results? Or should we do our fair share in a cooperative scheme which would eradicate poverty if everyone complied with it, but no more than that fair share? These are quite general questions, but the answer to them is probably the most important part of the answer to our central question.

1/100,000 of a prisoner. If the prisoner would otherwise have been imprisoned for another 10 years, I have reduced the sentence by 8 hours (apart from the side effects of the action). Is this a substantial difference?

The most logical way to look for an answer to such questions is by examining the most important forms of moral theorizing, as the forum where some of the most central moral insights are considered. Also, moral theorists often consider their theory to support one of the answers just mentioned, for example, that we should be doing everything we can to bring about the best results; or that we should be doing what we can at little cost to ourselves but no more. Unless many theorists are grossly mistaken, different moral theories support very different answers.[29] This is why a large part of our time will be spent considering moral theories.[30]

Like many authors who have previously written about our question, we have in the first place been occupied by the question of whether we should always respond to poverty in the way that produces the best results – as Peter Singer suggests in his 1972 article 'Famine, Affluence, and Morality', the text that basically began the debates concerning this question. If we should, it might well be the case that we should be doing very much about poverty indeed. If there is something else we should be doing, for example, if we ought to produce the best results only when we can do so at little cost to ourselves, it may well be the case that we ought to be doing much less about poverty. Therefore, in Chapter 2 we begin by considering the case for consequentialism, and subsequently ask – in the wake of criticisms by Bernard Williams and Samuel Scheffler – whether consequentialism must be abandoned because it asks the agent to perform actions that are in some sense too costly.

In the chapters that follow we take up the position that has been developed in the second chapter, and ask whether it must be modified or abandoned. Chapter 3 considers whether it must be modified or abandoned in

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[29] This is not to say that the answers to the questions just mentioned vary across *all* different moral theories. But sometimes the answers that different moral theories give do differ. Consequentialists, for instance, support answers that differ much from those that many other moral theorists propose. This prompts the question of whether consequentialism can be defended; a question that takes one into quite general discussions of moral theory.

[30] We can add that we will usually concentrate on theories rather than on concepts per se (especially in Chapters 2, 3 and 5). For example, we will concentrate on analyzing theories that tell us what our moral duties are (what we must do morally) and what our moral rights are (what we may do morally), rather than on an analysis of the concepts of duties and rights. For a clarification of our use of terminology around duties, rights and so on, cf. note 16 above.

the light of criticisms from another major moral theory, contractualism. The specific contractualist theory that this chapter mostly draws on comes from T.M. Scanlon, who proposes a general theory that is in many ways close to John Rawls's institutional theory. In Chapter 4 we will ask whether the position we have thus arrived at must nevertheless be modified or abandoned because of diverse thematically ordered criticisms that can be made of it, including suggestions that the position may permit agents to treat others in ways that are intuitively horrible, and that it may be very counterintuitive regarding the room it allows for friendship.[31] Chapter 5 considers whether the position should be revised because of criticisms emerging from recent literature. It considers the work of three authors, Liam Murphy, Tim Mulgan and Garrett Cullity. Chapter 6 makes our position, as it stands at this point, more concrete. The most important element of this position is surely familiar: you ought always to do what produces the best results, at least if you can do so at little cost to yourself. We try to make this position more tangible by providing a broad outline of a theory of the good life. After doing so we will be in a position to provide a more concrete answer to the question of what rich individuals like us should do about poverty. By considering how donating money and observing certain restrictions when one is spending money impinge or fail to impinge on the good life, we can come closer to answering the questions of how much money rich individuals like us should spend on fighting poverty, and which restrictions we should heed – in the light of poverty – when spending money. The last chapter summarizes and concludes.

The present study will thus begin with the case for consequentialism, and then ask whether consequentialism must, in the light of certain criticisms, be modified or abandoned altogether in favour of a different position.[32] Where criticisms spring from certain theoretical traditions or theories (notably in Chapters 3 and 5), we consider – in a rather defensive move – whether the criticisms can be answered, if necessary by modifying

[31] Of course, we cannot mention in this fourth chapter all of the thematic issues that might spell problems for our provisional position. Many important issues will have to be omitted. For example, there will be no discussion of in what sense, if any, a priority of compatriots over foreigners can be justified. There will be a note on this issue, though, and this note will also consider the appropriateness of taking the Brazilian case as an example.

[32] Although I try to deal with criticisms in a fair manner, the possibility that if someone was to do the same exercise starting with contractualism they would end with a different result cannot be excluded.

the theory. However, we also consider – in a more offensive move – whether our modified position has an edge over the theories which are critical of our position.[33] Both the criticisms taken from these theories and the criticisms made of them are, naturally, non-exhaustive.

To conclude this overview of the study, I would like to end with one further remark about its approach while omitting further preliminary discussion of ethical methodology.[34] This final remark is that the study does not restrict itself to certain kinds of moral demands, for example, to demands of justice or demands of beneficence.[35] If it were restricted in this way, it would not provide an answer to the question of what rich individuals like us should do about poverty after all. It would only seem to present us with the minimum that we should do morally, as there might be further duties based on certain kinds of morally relevant considerations that were not considered. Even more importantly, it would not even provide us with this minimum, because where different kinds of moral demands pull in different directions, one kind might outweigh the other. For example, if one considers moral demands related only to beneficence, it could always be the case that considerations concerning justice imply that one need not or even must not live up to these demands. Therefore it is better not to limit oneself to certain kinds of moral considerations.

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[33] This is also true for how we deal with Scheffler's criticism (section 2.2) which we try to accommodate, as well as show that our position has an edge over it. Williams's criticism, by contrast, cannot be treated in this way very well.

[34] It is true that many more such preliminary comments could be made. However, I would like to quote Tim Mulgan approvingly:

> [It is surely better than] an elaborate defense of the claim that there might possibly be some worthwhile things to be said about ethics ... simply to present one's substantive claims or arguments and hope that others find them persuasive or helpful. (2001, p. 19)

[35] Beneficence is usually understood as the part of morality that has to do with actually promoting the wellbeing of others (Murphy 2000, p. 3). Justice can mean many things. It can, very generally, refer to giving everyone their due, and on this usage there can be many kinds of justice, corresponding to many ways in which people can be given what is due to them. For instance, in the distribution of goods we can speak of distributive justice, and in response to crimes, of criminal justice. Justice is also often seen as a subject that first of all applies to institutions and only derivatively to individuals (e.g. Rawls 1971, section 1).

2 Towards a Position: Consequentialism and Beyond

On the Case for Consequentialism and on Acting when Confronted with Two Worlds

This chapter first examines the case for consequentialism, and then whether deviations from consequentialism are called for because what it asks moral agents to do is in some sense too costly for them.

2.1 The Case for Consequentialism

2.1.1 Around the Child in the Pond

Consequentialism is the view that one ought to promote the good as best one can, in other words, that one ought always to do what produces the most good.[1] If this view is correct, it could follow that we ought, in our current circumstances, to do everything about poverty that we can:

(1) Morally one should always do what produces the most good.
(2) Of all the things that rich people like us can do here and now, what produces the most good is to do what better fights poverty than anything else.
Therefore,
(3) Morally we ought, in our current circumstances, to fight poverty as best we can.

[1] The most influential form of consequentialism is utilitarianism. Utilitarianism is distinguished from other forms of consequentialism by how it specifies the good. It does this either hedonistically (as pleasure etc.) or as the satisfaction of preferences or informed preferences (see e.g. Griffin 1986, Ch. 1). Non-utilitarian consequentialist theories have other theories of the good. In this section, we will be speaking about consequentialism in general.

The question is: What is to be said for consequentialism? It may seem that its case is made by Peter Singer's famous example:

> The path from the library at your university to the humanities lecture hall passes a shallow ornamental pond. On your way to give a lecture, you notice that a small child has fallen in and is in danger of drowning. If you wade in and pull the child out, it will mean getting your clothes muddy and either canceling your lecture or delaying it until you can find something clean and dry to wear. If you pass by the child, then, while you'll give your lecture on time, the child will die straightaway. You pass by and, as expected, the child dies.[2]

This case of the child who seriously risks drowning arouses our sympathy and easily evokes the idea that it would be outrageous to let a child drown when we could save it with some disadvantage to ourselves, but without serious risk of drowning. Put that way, the case seems to tell us that we ought morally to do what produces the most good.[3] This impression is strengthened by the fact that Singer's consequentialist sympathies clearly transpire through his texts.

Yet only a moment's reflection will teach us that the child-in-the-pond case radically underdetermines the conclusion that one should always do what produces the most good.[4] There are many general principles that are compatible with our strong intuitive judgment about this case, and many of these are far removed from the idea that one should always do what produces the most good. This is true, for example, for the principle that we should always help people who are in need right before our eyes, and for the principle that we should always help people when we can do so at little cost to ourselves. True, the case does offer support for consequentialism in the sense that most consequentialist accounts will give the intuitively right answer in this case, but this is a very weak form of support indeed.

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[2] I quote the example according to Unger (1996), p. 9. His formulation closely resembles Singer (1993a), p. 229. The example first occurs in Singer (1972), the article which basically initiated the philosophical debates about how much rich individuals should do against poverty.

[3] A better way to put it would perhaps be that we morally ought to do what best fights evil. As will be explained in section 6.1.1 below, by 'evil' we mean the absence of good. In this usage, the expressions 'what produces the most good' and 'what fights the most evil' are equivalent.

[4] Cf. Cullity (2004), p. 13–15.

Actually, Singer himself acknowledges that his case does not support consequentialism but something weaker, namely that 'if we can prevent something bad without sacrificing anything of comparable [moral] significance, we ought to do it.'[5] This principle is still radically underdetermined by the case, of course. Moreover, and more importantly, because of the vagueness of the expression 'comparable moral significance', it is a far cry from consequentialism.[6]

Peter Unger, who sees himself as following directly in Singer's wake, wants to make a stronger case than Singer for conclusions that are quite close to consequentialism. He tries to argue for the following:

> Insofar as they need her help to have a decent chance for decent lives, a person must do a great deal for those few people, like her highly dependent children, to whom she has the most serious sort of special moral obligation. Insofar as it's compatible with that, which is often very considerably indeed, and sometimes even when it's not so compatible, she must do a lot for other innocent folks in need, so that they may have a decent chance for decent lives.[7]

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[5] Singer (1993a), p. 230. With this statement as a starting point Singer goes on to argue as follows:

> Absolute poverty is bad... [And,] there is some absolute poverty we can prevent without sacrificing anything of comparable moral significance. Conclusion: We ought to prevent some absolute poverty. (ibid.)

Incidentally, this does not seem a legitimate conclusion. For as long as we do not know what other bad things, besides poverty, can be prevented without sacrificing anything of comparable significance, how can we know how we ought to deal with poverty?

[6] In his 1972 article Singer downplays this problem and to such an extent, in fact, that the principle does not only lead him to consequentialism but to a form of it that specifies the good as the satisfaction of (informed) preferences, and thus a form of utilitarianism:

> The [principle which requires] us to prevent bad things from happening unless in doing so we would be sacrificing something of comparable moral significance, does seem to require reducing ourselves to the level of marginal utility. (p. 241)

In a later text, Singer is much more cautious:

> If non-consequentialists regard [serious violations of individual rights, injustice, broken promises and so on] as comparable in moral significance to the bad thing that is to be prevented, they will automatically regard the principle as not applying in those cases in which the bad thing can only be prevented by violating rights, doing injustice, breaking promises, or whatever else is at stake. (1993a, p. 229–230)

[7] Unger (1996), p. 12.

If Unger could establish these ideas (which he calls 'our Values') it would take us some way towards consequentialism – towards the idea that one always ought to do morally what produces the most good. Still, it would not get us there completely; but let us ignore this, and look more closely at how Unger argues for these ideas.

His argument is very roundabout. I will confine myself here to a general sketch of his way of arguing, leaving out the exact details of how it is carried out. My point is that if this is the way to argue for consequentialism, it is very hard to make a convincing case for it.

Unger begins by observing two things. First, most people's intuitions about some cases – such as the child-in-the-pond case – are in line with what he calls 'our Values'. Second, however, most people's intuitions about some other cases are at variance with them, an example of such a case, the example to which Unger pays most attention, being what I shall call the UNICEF case:

> In your mailbox, there's something from […] UNICEF. After reading it through, you correctly believe that, unless you soon send in a cheque for $100, then, instead of each living many more years, over thirty more children will die soon. But, you throw the material in your trash basket, including the convenient return envelope provided, you send nothing, and, instead of living many years, over thirty more children soon die than would have had you sent in the requested $100.[8]

'To this example,' Unger says, 'almost everyone reacts that your conduct isn't even wrong at all.'[9] Unger's aim is to show why we should not follow our intuitions about concrete cases when they conflict with 'our Values' (in Unger's sense). He firstly concentrates on the UNICEF case. To show that we should not follow our intuitions about it, he lists all the factors that differ between this case and the child-in-the-pond case, and that might, on the face of it, be morally relevant, such as whether the person to be helped is far away, whether there are other potential helpers, or whether the case is intuitively urgent. Subsequently, he tries to show that these factors are *not* morally relevant. He does this mainly by constructing cases where everything is equal except for one factor – for example, the distance between the person who needs help and the poten-

[8] Unger (1996), p. 9.
[9] Ibid.

tial helper – and which, according to most people's intuitions, should clearly be judged morally in the same way.

It will be clear that Unger has many daunting tasks on his hands: first, to identify all potentially morally relevant and different factors between the child-in-the-pond and the UNICEF case; second, to construct cases, for each factor, that are convincingly equalized in every respect except the potentially morally relevant and different factor in question; and these should, third, be cases which, according to most people's intuitions, should be morally judged in the same way. Furthermore, people should trust their intuitions about these cases sufficiently.[10] To be precise, they should trust their intuitions about these equalized cases more than they trust their initial intuitions about the UNICEF case (and similar cases), about which we have initial intuitions that go against what Unger calls 'our Values'. For if people do not trust their intuitions about the equalized cases more, these intuitions cannot offer them grounds for revising any initial intuitions.

Furthermore, even if all of this works, it may still be doubted whether it establishes that there are no morally relevant differences between the child-in-the-pond case and the UNICEF case. For, even if moral factors are by themselves irrelevant they may interact so as to become relevant.[11]

There is yet another problem: even if it all works and we are convinced that we should react in the same way to the child-in-the-pond case and the UNICEF case, and thus dismiss our initial intuitions about one, which way should we go? This is one place where Unger comes up with psychological factors that allegedly make our moral judgments about some cases distorted. 'Futility thinking' is, according to him, one such factor – the thought that my tiny contribution is so small in comparison with what would be needed to completely solve a problem (such as poverty) leads me to think that it is morally all right not to give anything to UNICEF. Such factors, in addition to the sheer force of Singer's example, require that I should judge the UNICEF case in the same way as the child-in-the-pond case, rather than the other way round.

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[10] Working with very hypothetical cases (an art whose champion is probably Frances Myrna Kamm, e.g. 1996) can easily miss its point, if only for the reason that most people do not have any clear intuitions about such cases.

[11] Kagan (1988) has pointed to this problem most clearly. Unger addresses it very briefly, on p. 53–54 of his book.

This conclusion would certainly be important (we would at least be able to get from the child-in-the pond case to what we should do in some cases of poverty), but we see how much is needed to arrive at it. Furthermore, the considerations concerning the child-in-the-pond case and the UNICEF case still underdetermine the conclusion that what Unger calls 'our Values' are indeed our values. We would also have to check for intuitions about cases other than the two that we have considered and examine whether we could bring them into line with 'our Values'. Although in examining this, to a considerable extent we would probably repeat the very same process that we went through when considering the two initial cases, there is no guarantee that no new elements would emerge. After having checked a number of cases we could come to have trust in 'our Values'.[12] It is true that this trust can never be complete. For we can never fully determine a general conclusion through considering concrete cases. However, at some point this criticism becomes ridiculous, and we can say that it has been sufficiently established that what Unger calls 'our Values' are indeed our values. This would mean, more or less, that the case for consequentialism would have been made.

Yet it is clear that Unger's approach is problematic. Its main problem is that it offers a very roundabout way of arguing for consequentialism (or for something reasonably similar to it) to say the least. Its very complexity makes it unconvincing. If there is a convincing case for consequentialism, we must look for it elsewhere.

2.1.2 Some Other Problematic Arguments

Sometimes consequentialism is advocated because of its simplicity.[13] This advocacy is convincing where simplicity is a mere tiebreaker, that is, it is convincing that simpler hypotheses should be preferred when 'otherwise [hypotheses] are equally satisfactory'.[14] Probably, even Bernard Williams

[12] Some say that there is yet another problem with Unger's story. This is, in Liam Murphy's words, that 'Unger in effect embraces the optimizing principle [i.e., the principle that one should always do what does most good] […] without considering alternative principles [...]' (Murphy 2000, p. 157 n. 27). But we may perhaps say that Unger has – implicitly – encountered many alternatives on his way, and rejected them.

[13] An example is Pettit (1991).

[14] Ibid., p. 237.

would agree that simpler hypotheses are preferable in this case, even though he rails against utilitarianism:

> ... the fact that utilitarianism starts out with so little luggage provides no presumption *at all* in its favor. The question can only be whether it has enough luggage for the journey it must make.[15]

Resting the case for consequentialism on simplicity as a tiebreaker actually means that simplicity would contribute to the case for consequentialism only after other defences had done the real work. Pointing to simplicity as a tiebreaker invites the reply that consequentialism is not equally as satisfactory as its alternatives (such as contractualism).[16] And even if we think that a moral theory could, in comparison with alternative theories, have advantages that come with simplicity and that could (more than) compensate for certain disadvantages of its being simpler,[17] it seems very implausible that simplicity would have a very big role of its own.[18] The real case for consequentialism, if there is one, must lie elsewhere.

There have been a number of other attempts to make that case, but they are not very convincing. Before coming to them let us first state that to arrive at a recognizable form of consequentialism it is at least necessary that (1) (a) for the purposes of determining how I should treat others, there is just one kind of things to be seen in the world, which can, moreover, (b)

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[15] Williams (1985), p. 106 (emphasis in original); cf. also Williams (1973), p. 137, 148–150.

[16] See e.g. Scanlon (1998), p. 384, n. 20.

[17] Such advantages would be evident if the theory in question were meant as a decision procedure. However, consequentialists mostly think that their theory is not a decision procedure (for debates over whether it could still make sense if it is not, see, e.g. Williams 1973, Scheffler 1982, Railton 1984). However, simplicity could remain an advantage for a theory of right action that is not a decision procedure. But I will not pursue this point here, since it seems clear that if it were, the advantage would not in any case be very large.

[18] Furthermore, it may even be doubted whether consequentialism *is* in the end simpler than alternative theories. For example, talking about utilitarianism, Bernard Williams remarks:

> [Utilitarianism makes] enormous demands on supposed empirical information ...; but that is seen in the light of a technical or practical difficulty, and utilitarianism appeals to the frame of mind in which technical difficulty, even insuperable technical difficulty, is preferable to moral unclarity, no doubt because it is less alarming. [T]hat frame of mind is in fact deeply foolish ... (1973, p. 137).

plausibly be described as goods (together, (1a) and (1b) entail that the goods in the world are ultimately and most fundamentally of one kind); *and* that (2) these goods only call for promotion. If (1) and (2) are the case, obviously what I should do is promote the good (in other words, these goods) as best I can.[19]

By contrast, in relation to what I should do, if there is not in the end only one kind of relevant things in the world, which can moreover be described as goods, then the resulting picture of what I should do – as someone from the outside would judge it based on what is present before me – probably has little to do with the intuitive idea of 'promoting the good as best I can'. In addition it is equally clear that if goods call for a range of reactions rather than for promotion only, the idea that what we should do is to promote the good as best we can will likely be rejected – even if there are only goods. One would expect, then, that those who try to make the case for consequentialism pay attention to justifying the above two statements.

One example of an author who cites a case for consequentialism is Samuel Scheffler:

> [T]he best principles for regulating the conduct of agents will be those principles, whatever they are, which represent the most rational way of regulating what happens. After all [...] it is only because people care about what happens that a conception of the right [i.e., a conception that tries to regulate the conduct of agents] is needed in the first place. So the consequentialist first fixes on a principle for identifying the best available states of affairs, or the best available sets of happenings, and then simply directs agents to do what is in their power to produce those states of affairs or sets of happenings.[20]

In the light of the above remarks, the striking thing about this justification of consequentialism is that it *assumes* that for moral purposes, there is basically one kind of relevant thing to be seen in the world (namely states of affairs or sets of happenings, which are more, or less, good), and also

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[19] In fact, to use a distinction that I want to leave aside for now but shall explain in section 2.2 below: consequentialists commonly hold that the only kind of thing that matters in the world is *impersonal* goods. And certainly, a position that should hold, for example, that only personal goods matter is not a recognizable form of consequentialism. But for now what is important is that in order to have a recognizable form of consequentialism the two conditions mentioned in the text also need to be fulfilled.

[20] Scheffler (1982), p. 125.

that the most 'rational' way (whatever that may be) of dealing with them is to promote them. This last point emerges even more clearly where Scheffler says that consequentialists reason as follows:

> ... [I]t is *hard to see* how any conception of the right could embody a more rational way of [regulating what happens insofar as this is subject to human control] than the [...] conception which requires agents to promote the best overall states of affairs ...[21]

Whoever reasons in this way does not investigate what other ways there might be to regulate what happens in the world in so far as we can influence it and uses the allegation that it is 'hard to see' any better way to support this view. This is an easy victory for the consequentialist.

The problem here is that alternatives are left unexamined. The same happens, I believe, in Philip Pettit's encyclopedia article on consequentialism.[22] Pettit says that the distinction between consequentialists and non-consequentialists (the nomenclature, which describes one group negatively, is telling) is that consequentialists think that values call for promotion only, while non-consequentialists think that some values call for promotion and others call for being honoured.[23] It is fairly clear what promotion is. It is to choose the action that can be expected to bring about the most of this value.[24] What honouring is, by contrast, is not so clear. In the case of friendship, it is something like being loyal to one's friends, not damaging the friendships enjoyed by others, and at times furthering the formation of a friendship if this is possible with relative ease. The problem is, it seems to me, that Pettit makes no real effort to investigate the views of the non-consequentialist, so that they come across as a muddle. This easily evokes the impression that the non-consequentialist is making a complicated and ill-structured[25] fuss that at best adds nothing of substance, compared with the simpler consequentialist alternative. As

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[21] Ibid., p. 123 (emphasis mine).

[22] Pettit (1991).

[23] E.g. ibid., p. 237–238. I will use the terms 'values' and 'goods' indiscriminately. This is, I believe, in accordance with, for example, Scanlon (1998), e.g. p. 80.

[24] Cf. Pettit (1991), p. 232–233.

[25] Thus Pettit says that the non-consequentialist duality between values that call for promoting and values that call for honouring is unexplained (p. 238). Is it unexplained or has he failed to look for explanations of it?

such, you should, even if making the fuss does no harm, simply avoid it and go with the simpler alternative, that is, with consequentialism.

A similar failure to consider alternatives bedevils the following case for consequentialism that Pettit makes:

> [Consequentialism] fits nicely with our standard views of what rationality requires, whereas non-consequentialism is in tension with such views. [According to consequentialism, the] agent concerned with a value is in a parallel position to an agent concerned with some personal good: say, health or income or status. In thinking about how an agent should act on the concern for a personal good, we unhesitatingly say that of course the rational thing to do, the rationally justified action, is to act so that the good is promoted. That means then that the consequentialist line on how values justify choices is continuous with the standard line on rationality in the pursuit of personal goods, the non-consequentialist line is not.[26]

However, one can object, firstly, that it is not at all evident that our standard view of rationality is that we should always maximally promote the good, in other words, maximize.[27] Secondly, even if this should be so in one domain (non-moral action), why should it also be so in a different one (moral action)? Of course, one could say that consistency between the two domains should be maintained unless there are good considerations in favour of doing otherwise.[28] However, we are not even given a hint as to

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[26] Ibid., p. 238.

[27] 'Satisficing' (doing what is good enough instead of doing the best), for example, remains unexamined. For attempts to bring this idea of rationality to bear on ethics and sometimes even to make it a cornerstone of what, surely in a revisionist use of the word, is labelled as a form of consequentialism, see Slote (1985), Byron (2004), and cf. also Mulgan (2001), Ch. 5 (Mulgan has a particularly broad idea of what consequentialism is: p. 284–285). In the next subsection, I will give a hint at why I tend to find satisficing unsatisfying with regard to goods.

[28] Note that the more common expression here would be good 'reasons'. However, this word has been so widely used (and so many conceptual and theoretical complexities have been built around it) that it may be better to avoid the fog of this terminology, and to try to deal with some important problems without it. Now Scanlon states that a reason for something is 'a consideration that counts in favor of it.' (Scanlon 1998, p. 17). Accordingly, I will speak of 'considerations in favour of ...', not of 'reasons for ...' . (However, I will not be neurotic about avoiding the word 'reason'. Where it is used, it simply means a 'consideration' in favour of something.) In a similar vein, I will generally speak of 'goods' and 'evils', not of 'values' (cf. note 23 above).

what such considerations might be, or why there are none.[29] In sum, these arguments for consequentialism are very brief.

The same can be said about Shelly Kagan's defence of consequentialism.[30] However, Kagan proceeds in a way that differs from that which merely leaves the position of one's opponents unexamined. He begins by 'populating' the world with 'the good' which calls for promotion, and he argues that the defender of common sense morality (who is his opponent) is committed to this picture.[31] However, Kagan says he will not examine this aspect of the view to which the defender of common sense morality is committed, but will leave that for another occasion. What Kagan *will* focus on is that the defender of common sense morality is also committed to a number of other things besides the promotion of the good.

If one sets up things in the way Kagan does, a first problem immediately arises. That the defender of common sense morality is committed to a number of things besides those mentioned by Kagan, may mean that the defender of common sense morality (Kagan's opponent) is committed to seeing fundamentally different kinds of goods, or different reactions to goods than promotion only. What Kagan argues, by contrast, is that his opponent is committed to saying that one need sometimes not promote the good, and that this is sometimes even forbidden. In other words, the manner in which Kagan puts the problem does not seem to allow for the possibility that the defender of common sense morality sees fundamentally different kinds of goods and reactions to them that differ from promotion. Thus Kagan puts his opponent at a disadvantage right away.

Despite this, perhaps when defenders of common sense morality make their argument these different kinds of goods and reactions other than promotion will come to the surface.

At this point, however, a new problem emerges. Kagan demands that our moral theories cohere, not in the minimal sense of being non-contradictory, but in the sense that our judgments and the moral distinctions we

[29] Similar problems arise for Scheffler's criticism of agent-centred restrictions (that is, prohibitions to kill one to prevent five similar killings) where his criticism is that such restrictions go against a very strong and common conception of rationality, maximizing rationality (Scheffler 1985).
[30] Kagan (1989).
[31] Ibid., Ch. 2.

make (for example, between doing and allowing) flow from a unified framework:

> If a distinction stands isolated, or is at odds with more firmly supported beliefs, we have grounds for rejecting it, despite its intuitive appeal.[32]

Now it is surely clear how the argument will proceed. If one *assumes* that it is a firmly supported belief that one should promote the good, then other beliefs – such as the belief that one need, for some reason, not always do this – may well be at odds with the former beliefs. If we are to arrive at a unified framework, it is very likely that some beliefs will have to be rejected, but these cannot be those that we have assumed. So it will have to be others. True, it does not *have* to be this way. For perhaps we could arrive at a unified framework that captures *all* our beliefs. Even so, as our beliefs are in tension, this is unlikely. Thus, it is likely that some will have to go. In short, Kagan's way of working does not give his opponent much of a chance.

2.1.3 To Conclude: What Could the Case for Consequentialism Be?

A convincing case for consequentialism remains to be seen. What could it be? I am afraid that I cannot present it here, but only hint at it, because to make the case decently, as I see it, would take us a long way into such areas as meta-ethics and metaphysics. However, through the diverse criticisms that we have considered so far, we have a good idea of what the building blocks of a convincing case for consequentialism could be.

A large part of the case for consequentialism might draw on elements that we have already encountered above, and could look something like this.[33] Firstly, it is not implausible to assert that, for the purpose of determining what one should do morally, there is in the end only one kind of relevant thing to be seen in the world. This is not implausible because monism can stand as a default option until solid considerations can be found that argue in favour of deviating from it: sharp divisions in reality

[32] Ibid., p. 14.

[33] Actually, the case for consequentialism will not be complete until we have also established that only impersonal goods (in a sense to be explained shortly) matter for moral purposes. In the next section we shall investigate whether this can be established.

always have the appearances against them.[34] Secondly, it seems that when our purpose is to determine what we should do morally, the only kind of things that are relevant can plausibly be described as goods. (The two elements just mentioned together imply that it is not implausible to assert that ultimately, all goods are of the same kind.[35])

Furthermore, it may be ventured that there is a conceptual connection between something 'being good' and it being something 'to be promoted'. And even if this thesis of conceptual connection is controversial, it is less controversial to hold that there is a certain kind of 'proximity' between 'being good' and being 'to be promoted'. Again, the area in which to develop this 'proximity thesis' would be meta-ethics or metaphysics, and hence a development of this thesis lies beyond the present study.

From these considerations I take it that consequentialism is not without its attractiveness, and this is the point on which I would like to end this section.[36] I am aware that it may seem a strange ending to the story. After all, we spent quite some time criticizing various endeavours to make the case for consequentialism, and the considerations that we have just given in favour of consequentialism are very inchoate and poorly developed. However, another way of looking at the matter is that our criticisms of consequentialism have helped us to see more clearly where a convincing case for consequentialism may come from, and that the elements cited in favour of consequentialism, although they cannot be well developed within the scope of this study, are indeed promising.

In any case, while proceeding I will suppose that consequentialism has a certain attractiveness. If this is so, we can go on to ask whether it should nevertheless be abandoned because it has certain serious problems. We will now turn to this question.

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[34] In fact, I do think that we should in an important respect deviate from monism, as I shall argue in the second part of this chapter. However, it is not strange to begin with it.

[35] That there is in the end only one kind of good to be seen does not imply that a problematic comparison of goods never arises.

[36] We can at this point specify the form of consequentialism that we have had in mind all along as primarily focusing on acts. In any case, it is individual and not collective consequentialism. The most common form of collective consequentialism is rule consequentialism, which says, very roughly, that one should abide by the rules whose general acceptance maximizes the good (cf. e.g. Darwall 1984, p. 223). Cf. sections 3.2.2 and 5.2.3 below.

2.2 Should We Reject Consequentialism Because of Its Cost to the Agent?

2.2.1 Williams's Criticism of Consequentialism

There are at least three classical criticisms of consequentialism.[37] The first is that it asks too much of the moral agent; the second is that it allows and even requires the agent to do horrible things; and the third is that it requires agents to act so as to impose great losses on one person for the sake of tiny gains to many others.[38] In this chapter, we will only discuss the first criticism.[39]

This criticism – that a moral theory asks too much of a moral agent – can, again, take at least three forms.[40] The first form says that there is something objectionable to how consequentialism asks the agent to behave. Bernard Williams's famous complaint against utilitarianism that it severs the link between someone's projects and his actions (we will come

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[37] Cf. Scheffler (1988), Ch. 1. To these criticisms, one might add a more general one, namely that consequentialism would be phenomenologically inadequate. This criticism has been most forcefully worded by Bernard Williams, as 'simple-mindedness' – which, more specifically, he reproached utilitarianism for:

> [Utilitarianism's] simple-mindedness consists in having too few thoughts and feelings to match the world as it really is. (1973, p. 14).

Aspects of this general criticism will be dealt with especially in section 3.1.2 below.

[38] Unlike the other two criticisms, this last criticism, which may be called the 'distributive' criticism, does not apply to all forms of consequentialism. Whether and how much it applies depends on the theory of the good that a certain consequentialist theory uses. For example, the criticism does not apply at all to a theory of the good that says that certain goods are always more important than other goods, no matter how much of those other goods is at stake (or, technically, it does not apply at all to a theory that holds that some goods have lexical priority over others; cf. Rawls 1971, p. 37–38). With such a theory of the good, consequentialism will never allow the trading-off of the former goods against the latter. If a theory of the good does not recognize lexical priority, the distributive criticism will often apply to it (cf. Arneson 2002), but it becomes very theoretical criticism if certain goods are given great (but not absolute) priority over others. For further discussion cf. also Scheffler (1982), p. 26ff.

[39] For consideration of the second and the third criticisms, in so far as they apply to the position that we will take, see sections 4.1.1 and 6.1.3 below.

[40] The terms 'alienation', 'confinement' and 'demandingness' are taken from Murphy (2000), Ch. 2 (cf. also Scheffler 1991, p. 98). However, we do not use these words exactly as he does.

back to this complaint shortly) is one example of such a criticism. After Williams's complaint, this first form of criticism can be called the *alienation*-criticism,[41] but we must keep in mind that this is a pars pro toto label: very diverse objections to what consequentialism asks a moral agent to do can fall under the label. The second form in which consequentialism may ask too much of an agent is in making too many courses of action impermissible. We could say that it is too *confining*. The third form that the criticism can take is that it involves something objectionable for the moral agent – for example, it entails losing much or having little left – if the agent as well as all (or many) others behave in accordance with consequentialism. This we may call the *demandingness*-criticism.

In this chapter we consider only the first of these three forms of the criticism which claims that consequentialism asks too much – to be precise, we consider some ways in which this first form of the criticism can be developed. The second form, which can be seen as a part of the first, will not be addressed, since confinement, at least if it refers to *how many* courses of action are forbidden by a moral theory, is not such an important criticism: the important thing is not *how many*, but *which* courses of action are forbidden by a moral theory. The third form of criticism is broader than the first: we may say that the first considers what it entails for me if I behave in accordance with the theory, while the third considers what is entailed for me if everyone (or very many people), including me, behave in accordance with the theory. Or, as some have said, the first criticism focuses only on active demands that a theory imposes on me, the third focuses simultaneously on active *and* passive demands imposed on me (commonly under full or nearly full compliance with that theory).[42] This third kind of criticism *is* important and will be considered in sections 4.1.1 and 5.1.1 below.

As mentioned above, Bernard Williams's criticism of utilitarianism, which also applies to consequentialism more broadly, can be seen as primarily concerned with what the theory asks a moral agent to *do*.

[41] An alternative and much used label for it would be the 'integrity criticism'.

[42] Talk of active and passive demands comes from Kamm (1996) and is taken up by Murphy (2000) and others. A very similar distinction, but without these terms attached to it, is made by Kagan (1989, Ch. 9).

Williams expresses his criticism in the following famous passage from a 1973 essay:

> It is absurd to demand of ... a man, when the sum comes in from the utility network which the projects of others have in part determined, that he should just step aside from his own project and decision and acknowledge the decision which utilitarian calculation requires. It is to alienate him in a real sense from his actions and the source of his action in his own convictions. It is to make him into a channel between the input of everyone's projects, including his own, and an output of optimific decision; but this is to neglect the extent to which *his* actions and *his* decisions have to be seen as the actions and decisions which flow from the projects and attitudes with which he is most closely identified. It is thus, in the most literal sense, an attack on his integrity.[43]

Williams's remarks allow for different interpretations. Samuel Scheffler, whose reception of Williams's criticism is possibly the best-known,[44] says:

> One natural way to read [Williams] is as maintaining that utilitarianism alienates an agent from his actions by making the permissibility of the agent's devoting energy to his projects and commitments dependent on the state of the world from an impersonal viewpoint. If, through no fault of the agent's, things get bad enough from the impersonal standpoint, his projects become dispensable. But if it is *this* feature of utilitarianism that attacks the agent's integrity, it is doubtful that any theory but complete egoism could avoid doing so.[45]

Clarification may be needed concerning the expression 'the impersonal standpoint' that occurs in this quote. We may say that it is the standpoint where one sees things – more particularly goods – qua quality and quantity as they would be seen 'from nowhere', by a spectator who has all goods simultaneously in view.[46] Consequentialism is commonly only concerned with goods as they are viewed from such a standpoint, or, with impersonal goods, and this is how Scheffler understands consequentialism. We will come back to this. So much by way of clarification.

Scheffler goes on to say that there is another way to interpret Williams's criticism:

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[43] Williams (1973), p. 116–117.
[44] The reception is in Scheffler (1982).
[45] Ibid., p. 8.
[46] Following Nagel (1991), p. 10.

> [Williams's] objection can be reconstrued in such a way that it could not be directed at all non-egoistic theories. It should be seen as arising ... in response [to the fact that] utilitarianism ... requires the agent to allocate energy and attention to the projects and people he cares most about *in strict proportion* to the value from the impersonal standpoint of his doing so, even though people typically acquire and care about their commitments quite independently of, and out of proportion to, the value that their having and caring about them is assigned in an impersonal ranking of overall states of affairs.[47]

As we shall see, Scheffler's reception of Williams's criticism focuses on this second interpretation of it (which is applicable to all consequentialist theories).

Before we turn to Scheffler, however, we should note that this second interpretation seems surely too narrow. Although Williams's criticism has many sides and also lacks clarity, its undertones are evidently deeper. They come out in the following quote from a 1976 essay which also shows that Williams is not only concerned with consequentialism:

> [T]he point is that somewhere ... one reaches the necessity that such things as deep attachments to other persons will express themselves in the world in ways which cannot at the same time embody the impartial view, and that they also run the risk of offending against it. They run that risk if they exist at all; yet unless such things exist, there will not be enough substance or conviction in a man's life to compel his allegiance to life itself. Life has to have substance if anything is to have sense, including adherence to the impartial system; but if it has substance, then it cannot grant supreme importance to the impartial system, and that system's hold on it will be, at the limit, insecure.[48]

Here too, Williams focuses primarily on the *actions* of the agent, and thus, in our terminology, the focus is on alienation rather than demandingness, although the quote leaves this somewhat implicit. The quote reveals that what Williams seems mainly concerned with is that the demands of the main (consequentialist and Kantian) forms of morality – which Williams calls the impartial system – can clash with the good life, more exactly, that they can clash with the very things without which life has no substance.

It is, however, not very clear what Williams says about these situations. He starts with the thought that life only makes sense if there are things in

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[47] Ibid., p. 9.

[48] Williams (1981a), p. 18. Williams's essay originally appeared in 1976.

it that give it substance. This should be acknowledged, he seems to say, and any demand by an impartial moral theory to simply give up things that give life its substance, therefore stands exposed as somehow too glib.[49] This is surely as much applicable to *any* categorical theoretical demand to give up such things. There is something wrong with such theoretical demands, which may perhaps be captured by saying that they are too simple, too glib, they do not do sufficient justice to the phenomenological data. However, Williams's point remains rather negative: he says that there is something wrong with all categorical theoretical demands to give up things that make life worth living in the first place, but he does not say what acceptable theoretical demands would be like.[50]

He does add another negative remark, however, stating that he does not mean to say that when there is a conflict between the things that make life worth living in the first place and moral demands, then it is always all right to safeguard the things that make life worth living for oneself (such as personal relationships):

> [O]nce morality is there, and also personal relations to be taken seriously, so is the possibility of conflict. This of course does not mean that if there is some friendship with which his life is much involved, then a man must prefer any possible demand of that over other, impartial, moral demands. That would be absurd, and also a pathological kind of friend-

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[49] I construe Williams as criticizing the content of certain moral theories. Some might – in the light of the passage just quoted, among others – think it more adequate to construe him as talking about the importance of moral theory. I want to leave open whether this is really so – Thomas Nagel, for one, remarks (1986, p. 191) that it is often not clear whether Williams's remarks are about what moral theory may (or may not) ask, or about whether moral theory may not (or may) be disregarded, all things considered. I think we can keep construing Williams as talking about the content of morality, namely, of a morality that grants itself a supreme importance when it comes to what we must do, all things considered.

[50] Actually, Williams is quite sceptical about ethical theory, which he describes as follows:

> An ethical theory [...] either implies a general test for the correctness of ethical beliefs and principles or else implies that there cannot be such a test (1985, p. 72).

He thinks that in order to reach defensible decisions on moral action:

> ... should not be regarded as a matter of just discounting one's reactions, impulses, and deeply held projects in the face of the pattern of utilities [or other theoretical considerations JP], nor yet of merely adding them in – but in the first instance of trying to understand them (1973, p. 118).

One may perhaps say that Williams's own approach to moral philosophy is rather hermeneutical.

ship, since both parties exist in the world and it is part of the sense of their friendship that it exists in the world. But the possibility of conflict with substantial moral claims of others is there ...[51]

What I take from Williams, then, in my reading of him, are two negative points: a moral theory should not tell us that in such and such a situation we must simply give up our deepest projects etc. However, neither should it give us blanket permission to always hold on to our deepest friendships etc..

We will only return to the deeper layers of Williams's criticism that we have just discussed (and which apply not only to consequentialism) at the end of the chapter. Firstly, we will look at Scheffler's attempt to develop a moral theory that accommodates Williams's criticism of consequentialism in the above-mentioned second interpretation of it, that is, the interpretation that says that what is objectionable about consequentialism is that we must pay attention to our deep commitments only as much as the impersonal calculus would require.

2.2.2 Arguing from the Nature of Persons: Scheffler and Beyond

Samuel Scheffler argues for the acceptability of a moral theory that deviates from consequentialism – and which he takes to provide an answer to Williams's alienation criticism in one version of it.[52] I will first outline his line of thought, complete with its obscurities, and then turn to some important questions about it.

Scheffler's starting point is John Rawls's remark that 'the correct regulative principle for anything depends on the nature of that thing'.[53] His second point is the observation that:

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[51] Williams (1981), p. 17.

[52] More precisely, Scheffler thinks that his theory answers concerns about how consequentialism treats the independence of the impersonal point of view, concerns which are serious and important regardless of whether or not consequentialism can in the end be said to be alienating or to violate integrity, as Williams maintains. See e.g. Scheffler (1982), p. 55.

[53] Rawls (1971), p. 25.

> ... concerns and commitments are *naturally* generated from a person's point of view quite independently of the weight of those concerns in an impersonal ranking of overall states of affairs ...[54]

Scheffler's third claim, which builds on the first and the second claim, is this. Suppose that a feature of a moral theory constitutes an 'evidently rational' way of reacting to the fact of human nature just mentioned – that human beings have an independent point of view – under some accurate description of what makes that aspect of the nature of human beings an important fact for morality. Then that feature of a moral theory has, by virtue of being such an evidently rational way of reacting to this fact, a principled rationale.[55]

Now, as a fourth step, Scheffler goes on to say that the importance for morality of the independence of the personal point of view can be understood as having to do with:

> ... the character of personal agency and motivation: people do not typically view the world from the impersonal perspective, nor do their actions typically flow from the kinds of concerns a being who actually did inhabit the impersonal standpoint might have.[56]

An evidently rational way for a moral theory to take into account this aspect of the nature of human beings – that is, as having an independent point of view – on the above acceptable interpretation of what makes this aspect an important fact for morality, Scheffler continues, is that a moral theory *reflects* it. This would result in a moral theory with what Scheffler calls an agent-centred prerogative, of which he proposes a proportional version:

> A plausible agent-centered prerogative would allow each agent to assign a certain proportionally greater weight to his own interests than to the interests of other people.[57]

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[54] Scheffler (1982), p. 56.

[55] Cf. e.g. ibid., p. 63, 67.

[56] Ibid., p. 62.

[57] Ibid., p. 20.

Shelly Kagan elaborates on how an agent-centred prerogative may work:

> Imagine that I want to perform some act, S, rather than an alternative, O, because S is more in my interests. ... Suppose ... that I am permitted to count my own interests more heavily than others'; in my calculations, let us say, I can magnify my benefits and losses, giving them up to M times their [impersonal] weight. ... Under such an agent-

However, Scheffler thinks that consequentialism, too, embodies an evidently rational way of reacting to the moral importance of the fact that humans have an independent personal point of view. It describes this importance as residing in the fact that people achieve fulfilment from their point of view (it is from their point of view that their projects and relationships etc. fail or succeed, flourish or wither), and an evidently rational way for a moral theory to react to the fact of personal independence under this description is to 'maximize the number of individuals who actually achieve fulfilment from their points of view'.[58] According to Scheffler, consequentialism and a theory that deviates from consequentialism in that it incorporates an agent-centred prerogative are both acceptable:[59] both are evidently rational ways of taking into account the independence of the personal viewpoint, under some adequate description of what makes this independence an important fact for morality.

There have been a number of criticisms of Scheffler's proposal, some of the most important of which we will now address.[60] Doing so will also clear up a number of obscurities in Scheffler, since many criticisms are precisely concerned with these obscurities.

Many critics do not have problems with Rawls's statement that the correct regulative principle for things depends on the nature of those things. Nor would they object to the idea that moral theory intends to provide regulative principles. However, what exactly is the nature of human beings? If one says, as Scheffler does, that 'to have an independent point of view is part of the nature of a person if anything is',[61] it is not so clear what it is that one asserts. The question, then, is what a more accurate description of this aspect of the nature of human beings, as an

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centered prerogative performing S rather than O would be permissible even in cases where the loss to others *does* outweigh the gain to me, provided that the size of the loss to others is less than or equal to M times the gain to me. (1984, p. 250–251)

[58] Ibid., p. 60; cf. p. 59, note. Scheffler makes it clear that the acceptable forms of consequentialism that he has in mind would have distribution-sensitive theories of the good. Cf. note 38 above.

[59] Thus the title of Scheffler's book, *The Rejection of Consequentialism*, is misleading.

[60] Some others, adapted to our own proposal, will be discussed in section 4.1 below.

[61] Scheffler (1982), p. 58. One might add that it is potentially misleading to speak of 'points of view' (cf. Scheffler 2003).

important fact for morality, could be.[62] More generally, exact descriptions are needed because the 'nature' of a thing could be extended very widely indeed, to embrace every tendency that human beings have. Concerning the independence of people's points of view, Scheffler does little to rule out very inexact interpretations of the contents and relevance of this observation about human nature. He says, for example, that for an individual the impersonal weight that their hardships receive is 'unlikely to exhaust his feelings about the matter'.[63]

The malleability of what is meant by the 'nature' of a thing only becomes really damaging, of course, if it is subsequently declared that a moral theory reacts evidently rationally to a certain morally important fact about human nature if it reflects that fact. Reflecting a fact about human nature seems, in the case of people not tending to act as an impersonal spectator, to consist in allowing them not to behave as an impersonal spectator. What makes this reflection evidently rational, is not so clear. 'Evidently rational' seems to have a very weak and intuitive sense, meaning something like 'not plainly unreasonable'.[64]

That it takes into account some very obscure aspect of human nature in a way that is not plainly unreasonable is then said to offer a 'principled rationale' for a moral theory. That sounds impressive, but what it means exactly is, again, not obvious. For a theory to have a 'principled rationale' is something like its having a 'serious underlying motivation' or being a 'rational response' to something.[65] This seems like repeating that a theory's taking into account some obscure aspect of human nature in a way that is not plainly unreasonable supports it more than explaining something more about why this is so. Doing the said things may indeed support a moral theory, but the support is very weak at best. Similarly weak is the reason that Scheffler gives for consequentialism and his alternative to it, as both being acceptable: they are both not plainly unreasonable ways to take into account something about human nature.[66]

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[62] Cf. Conee (1985), p. 609. This paragraph and the ones that follow immediately owe much to Conee.
[63] Scheffler (1982), p. 61.
[64] Conee (1985), p. 606.
[65] Scheffler (1982), p. 54, 104 as quoted by Conee (1985), p. 605.
[66] Cf. Scheffler (1982), p. 64–67.

That the support for a moral theory that Scheffler's method provides is rather weak at best, is made very clear by Shelly Kagan:

> [F]aced with the fact that people typically *don't* promote the overall good, [Scheffler's alternative to consequentialism] responds that morally they're not required to. But what is the underlying rationale for this response supposed to be? Surely Scheffler doesn't mean to be arguing that since people are going to do something anyway we might as well say that this is morally permissible – a quick road to egoism, and implausible to boot. Personal independence may constitute an implicit appeal for agent-centered prerogatives – but what is the rationale for *granting* this appeal? (Surely not the mere fact that the appeal is made.) Doing so is a response, to be sure, but why is it a *rational* response? Scheffler never raises these questions, but without answers, I don't see how we can accept his claim to have shown that [his alternative to consequentialism] is a rational method for taking account of personal independence.[67]

Finally, Scheffler leaves open how far a prerogative could permit us to deviate from doing what is impersonally best. My hunch is that if it is very hard to give a hint about the extent of deviation that can be permitted, this could in large part be because of the problems Scheffler has with explaining what exactly it is that a theory with the agent-centred prerogative responds to, and why it responds to it rationally.[68] That Scheffler proposes that the agent-centred prerogative could take a proportional form may suggest that considerations having to do with the impersonal good can themselves determine how far one may deviate from furthering it – but, then again, it is a mystery as to how such considerations could ever justify *deviations* from furthering the impersonal good.

Concluding the discussion of Scheffler's important but problematic account, we can say that we should try to achieve more clarity about which aspects of human nature are important 'facts' for morality and how a moral theory should deal with those 'facts'. If this should succeed to a certain degree, we might perhaps also obtain a better idea of the amount of deviation from consequentialism that might be justified.

We shall propose an inchoate account that makes some steps in these directions. Our road is as follows:

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[67] Kagan (1984), p. 253.

[68] Cf. Darwall (1984), p. 223–224.

I Human nature: We accept the idea that a moral theory must deal adequately with the important aspects of the nature of human beings. However, what are the important aspects which it must take into account? We argue, broadly (but by no means exactly) in the wake of Thomas Nagel, that it must at least take into account the fact that human beings have present before them personal goods as well as impersonal goods, both of which call for promotion. With regard to impersonal goods, consequentialists have no qualm. Indeed, their theory can be construed as being built on the idea that it is adequate, for moral purposes, to see the world as a place full of impersonal goods only, which furthermore call for promotion only. However, I shall argue that, implicitly, consequentialists are committed to recognizing as very important that people also confront personal goods. Thus the aspects of human nature to which (at least) we shall say that a moral theory must adequately react are not just *any* aspects: they flow from the consequentialist picture of the world itself.

II Moral theory: It would then still be possible for the consequentialist to say that moral theory should only take into account impersonal goods and *neglect* personal ones. Yet this, I take it, would mark a moral theory as inadequate to the nature of persons as consequentialists themselves see it, and thus as unfit to be a regulative system for persons. Perhaps we could say that this would make a moral theory 'irrational'. However, nothing hinges on this expression – the important thing is that such a theory would be inadequate.

III The extent of deviation from consequentialism: How much 'weight' should a moral theory give to the fact that people also have personal goods present before them, and not only impersonal goods? To attain more clarity about this question we will develop the broadly Nagelian picture of human beings that our account was based on somewhat further. I am not sure that all consequentialists would agree with this development, but perhaps some would. In any case, we will offer what we take to be a plausible development of a picture of the important aspects of human nature that consequentialist themselves implicitly subscribe to, and not just any tendency or oddity or shortcoming that we find in human beings. Let us now pursue these steps in greater detail.

I Human nature

In arguing against consequentialism one could resort to a picture of the world that is very different from the consequentialist one. One could say,

for instance, that the world is not a place of goods of basically only one kind that are only to be promoted, but a place where 'each person has a life to lead' and where '[p]eople need help but ... not all the time', while '[a]ll the time they need not to be killed, assaulted, or arbitrarily interfered with.'[69] Or one could say, for example, that people have no reason to act so as to maximally promote the impersonal good, since they lack the motivational resources to do so.[70] However, Scheffler does not argue for a deviation from consequentialism in these ways. Indeed, the word 'deviation' is telling. Scheffler in principle starts out with consequentialism but argues for some modification of it.[71] I want to do the same here, because, as said above, I believe that until further notice there is something to be said for the consequentialist way of seeing the world as a place of goods of basically only one kind that only call for promotion. The account of the important aspects of the nature of human beings implicit in such a view of things is that humans are beings who in the end have such a world before them.

More precisely, consequentialists commonly see the world, one may say, as a place full of *impersonal* goods that call for promotion only.[72] Impersonal goods are goods as they are seen, qua quality and quantity, from the impersonal viewpoint – from the viewpoint that has all goods of all human beings[73] simultaneously in view.

This viewpoint can be opposed to that of a particular human being who looks with their own eyes and feels through their own skin. We can call this viewpoint a *personal* viewpoint.[74] Now we can say, broadly following

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[69] Williams (1985), p. 186.

[70] Cf. e.g. the debate about internalism and externalism that followed after Williams (1981b).

[71] It may be controversial to assert that Scheffler starts out with consequentialism. However, it does seem correct to me: he says that there are good considerations in favour of adopting a consequentialist view (we quoted such considerations in this chapter's first section); and he presents his agent-centred prerogative as a deviation from consequentialism.

[72] Cf. Nagel (1986), p. 162. There are some authors who develop a theoretical position that they continue to call consequentialist but that abandon an exclusive focus on impersonal goods, e.g. Sen (1982).

[73] In this study I will not be concerned with the goods of non-human entities.

[74] The nomenclature impersonal/personal I take from Scheffler (1982). The whole approach of viewpoints in important respects comes from Thomas Nagel (most importantly, 1970, 1986, 1991), but we do by no means claim to follow him exactly (for example,

Thomas Nagel, that it is typical of human beings to look in *two* ways simultaneously, recognizing both that anyone else's pain (or loneliness or death) is as bad as their own (if this anyone is relevantly similarly situated as they are); *and* to see that their own pain (or loneliness or death) is worse *for them* than that of someone else. In other words, it is fundamentally a part of human beings to have two different kinds of goods before their eyes: goods as they are impersonally, and goods as they are personally.

However, is it really in the nature of human beings to see two fundamentally different kinds of goods? Is not one of them mere appearance? Some have doubted whether it makes sense to speak of impersonal goods, or whether there are any.[75] Or they have doubted whether it is an essential part of the nature of human beings to (attempt to) regard the world from an impersonal standpoint.[76] However, I wish to leave such doubts to one side, most importantly because it is surely a strange kind of consequentialist who shares them. Consequentialists typically build on the impersonal viewpoint rather than having all kinds of fundamental qualms about it; it is the reality of *personal* goods that they may doubt. In addition, strong doubts about the reality of impersonal goods seem misplaced, for the very idea of truth seems strongly connected to the ability to look at things from something close to an impersonal or detached standpoint. However, developing this point would take us much too far, and way beyond moral theory. Here we shall just assume that the reality of impersonal goods is not especially problematic: in a very real sense, my pain or loneliness or death matter equally to that of someone else, who is relevantly similarly situated.

Nagel is not so sympathetic to consequentialism). Nagel uses not only the words 'impersonal and personal', but also the words 'objective and subjective', 'impartial and partial', and 'agent-neutral and agent-relative'. Some, but not all, of these words are sometimes used interchangeably by Nagel. Furthermore, his use of terminology shifts through the years, and the things that the diverse terms refer to are multilayered: e.g. a good can be agent-neutral – the same for all agents – in its quality but not in its quantity. Lastly, the terms have been widely used in the literature, and often in different senses by different authors. I have thought it best to omit all these terminological and conceptual complexities and to focus on some very important insights that can be taken from the Nagelian approach.

[75] For discussions of such critical views by someone who does not agree with them, cf. Nagel (1986), p. 146–148.

[76] For the idea that it is, see e.g. Nagel (1970), p. 144–145.

What does need to be defended, by contrast, is that *personal* goods are more than mere appearances.[77] For, that they may be appearances only seems to be implied in the very way we speak about them: 'My pain or loneliness is greater for me ...', which seems to imply: that is how it seems to me, but it is not really so. If this is right, then it may well be the case that we should morally behave as the consequentialist says we should, for it seems plausible that we should act morally in accordance with how we see things as they really are and not with how they appear to be or how we tend to see them – where we can see that these appearances and tendencies do not point us to anything real.

Thus, the question is: are personal goods really goods, or is talk of them only a quick way to give an honourable face to how things appear to us or how we feel about them, while we know that these appearances and feelings are at odds with how things really are? I believe the answer is that personal goods are really goods, or at least that consequentialists cannot deny that they are really goods and implicitly assume that they are. A consequentialist typically arrives at a picture of the impersonal good by 'adding up' the goods of several people. If there were only pleasure in the world, this would work as follows: we arrive at the impersonal picture by adding the pleasures of all persons.[78] However, in this very picture it is implicit that someone else's pleasure *is* not as great a good for me as my own. Indeed, typically we would say that my pleasure is a good for me, while someone else's pleasure is not – although we will come to a complication shortly. If my pleasure were equally a pleasure for me as was anyone else's, there would – subtleties aside[79] – not be any real sense in which my pleasures were mine. In this case, everyone's pleasure would be what would really be my pleasure.

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[77] For the reality of the personal cf. also Nagel (1986), p. 162–163.

[78] Contrary to Nagel, we shall proceed on the assumption that everything that is good from a personal standpoint will also be good from the impersonal standpoint: only, from the impersonal standpoint one views all personal goods together. Cf. also section 6.1.1 below.

[79] For example, it might still be possible to call the pain occurring in 'my' body 'my' pain – this remains possible even if for me that pain were as great as the pain occurring to any body relevantly similarly situated as 'mine'. To identify a pain as mine in this way might, metaphysically, be possible. However, as we will see, is not the way consequentialists commonly conceive of things. Furthermore, if one does conceive of things in this way, I do not see in what real sense the pain of my body would be more deserving of the label 'my' pain than the pain of anyone else's body.

This is really not the way consequentialists commonly think, and if they did, it would make their model very complicated indeed as well as reaching the point of vanishing into thin air. For I would best promote someone's good (say, the drowning child's) by best promoting the good of the entire world, but what that good would be is quite mysterious if it is not built up out of recognizable separate goods. In short: consequentialists commonly proceed on the assumption that I not only see that anyone else's pain is as bad as my own but also that I see that for me, my pain not only seems bad but *is* bad while someone else's is not. We could illustrate and clarify the basics of this way of thinking with a simple picture:

	The concerned person (A, B, or C) has the good in question present before them as a personal good that *is*:			The concerned person (A, B, or C) has the good in question present before them as an impersonal good that *is*:		
	person A	person B	person C	person A	person B	person C
A having a house	*great*	absent	absent	*great*	*great*	*great*
A having a friendship	*great*	absent	absent	*great*	*great*	*great*
A being safe	*great*	absent	absent	*great*	*great*	*great*
B having a house	absent	*great*	absent	*great*	*great*	*great*
B having a friendship	absent	*great*	absent	*great*	*great*	*great*
B being safe	absent	*great*	absent	*great*	*great*	*great*
C having a house	absent	absent	*great*	*great*	*great*	*great*
C having a friendship	absent	absent	*great*	*great*	*great*	*great*
C being safe	absent	absent	*great*	*great*	*great*	*great*

With a more complex idea of what is good, the picture will get more complex: for example, if you are my friend, your having a good job can be good for me.[80] However, the point remains: my good does not coincide

[80] Now that we are complicating the picture, we should note one further important point: the picture would also become more complicated (at the very least) if it should be personally good for someone to be moral. It is evident why: according to a consequentialist position, and according to the position that we are on the way to proposing and that modifies consequentialism, the right thing to do is to promote certain goods; yet how would this work if doing the right thing was itself among the good things?

This problem will be discussed in section 3.1.2 below. However, to mention it already: the following view might be most credible. Someone's good life (their personal good) consists basically in their having real freedom to develop most of their key capacities to a certain extent (not all important capacities are key: the capacity for meanness and debauchery might also be important, yet presumably one can have a good life without developing such capacities). To give the fact that other people's goods are as important as your

with the good of the entire world, if it is in any recognizable sense to be my good. In other words, we could modify the above picture with some overlapping and the basic point would remain.

It seems, then, that a consequentialist must recognize that people have present before them two kinds of goods (or as we shall also say: evils[81]) simultaneously: people see that anyone's death (or sorrow, for example) is as great an evil as their own *and* that for them their own is a greater evil than just anyone's. More precisely, they must admit that the left-hand side of the above table is as real as the right-hand side – that personal goods are also present to people as real goods.

It is important to clarify why this line of thought does not commit us to recognizing the moral relevance of things such as people being inclined to be cruel and lazy, for example. We started with the idea that it is adequate

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own its due weight, the weight that you see it to have (which is, on our model of morality and the world, what morality requires), may be a personal good for you. However, it is only a small part of your personal good – although it should be added that, at least if we stop short of giving up our lives, the goodness of being moral can be enlarged by the instrumental benefits that it brings: it may, for example, further my friendships, even if friendships do not always *eo ipso* involve morality.

A further question is whether can there be considerations in favour of behaving morally when it is not good for the person to so behave. The answer is affirmative. If one sees impersonal goods, one sees considerations to give due weight to promoting them; and similarly for personal goods. It is secondary that it is also a small part of someone's personal good to give impersonal goods their due weight – just as it is secondary that our personal goods also figure as part of the impersonal good.

Incidentally, the view proposed here seems to me to have some similarities with the view that Nagel (1986) takes on p. 197: 'there is much more to us, and therefore to what is good and bad for us, than what is directly involved in morality.' A bit later on, however, Nagel strongly critiques Bernard Williams:

> Williams's claim that morality requires the alienation of the individual from his projects and commitments ... is the opposite of the truth. If the impersonal standpoint is an important aspect of the self, then it would be left in the role of a pure, detached spectator if it could not enter into practical reasoning and action [in the way that impersonal morality envisages] ... (p. 198).

If the dispute should be over the goodness of being moral, then it seems to me that Nagel is closer to Williams than he suggests. However, it is more probable that Nagel is saying here that it is an essential part of human nature to act on moral considerations even if it is not good for us. (However, on this view to overcome alienation would not be so good for us; this is somewhat strange, but it may still be tenable.)

[81] By an 'evil' I mean the absence of a good. For more clarification of these concepts, see section 6.1.1.

to describe the world that we have before us as a world of impersonal goods only that call for promotion only. Presumably, when we started out with the picture we knew all along that we had certain inclinations and weaknesses, but we could still hold that it is not implausible to say that what we are really faced with is a world of impersonal goods only that call only for promotion. However, this picture cannot be adequate if the picture itself implicitly calls for the painting of a different one: and that is what we have argued. In the picture of the world as a place of impersonal goods only that only call for promotion, it is a central implicit aspect that people are also faced with personal goods.

II Moral theory

The consequentialist could still insist that one must, for moral purposes, neglect the fact that people also have personal goods present before them – that we must put ourselves in the shoes of an impersonal spectator, even once we have acknowledged that personal goods, are also real. (Or the consequentialist could say that personal goods do not call for promotion. However, it is totally unclear why that should be so, so I will not pursue this line of thought.) Yet to say this would be to admit that consequentialism is inadequate to central aspects of the nature of people as consequentialists themselves see this nature. This would mark the theory as inadequate to serve as a regulative theory for the behaviour of human beings – the correct regulative principle for something cannot *neglect* aspects of the nature of the things which it itself admits to be central.[82]

This line of argument, which attempts to identify something wrong with – or at the very least strange about – consequentialism is not addressed at all by, for example, Shelly Kagan, when he argues against deviations from consequentialism. Kagan thinks that we have a strong argument against consequentialism if things such as central projects and friendships cannot have a place in the consequentialist picture of the world at all, but not if they can have a place in it.[83] He then goes on to argue that in principle they can have such a place, only they ought frequently to be given up as

[82] Note that this argument does not rest the case for deviating from consequentialism on the demands that it makes on the will (for a well-known statement of the idea that such demands may sometimes be objectionable, see e.g. Nagel 1975, p. 145–146).

[83] Kagan (1989), Ch. 9 (p. 357ff., esp. 369–370). Here, Kagan construes in his own way, and answers, criticisms of consequentialism made by Williams (1973, 1981) and Wolf (1982).

the world now stands. Also, if having a commitment to a project etc. is incompatible with being prepared to give it up in certain circumstances, Kagan adds, then consequentialism *may* indeed get in the way of one's ability to have commitments, but then one surely cannot have commitments according to many non-consequentialist moral theories either.[84] However, we can ask: even if consequentialism leaves room for personal commitments, is it adequate to the world that human beings have before them? Is a theory that tells me to act as if my death is just as bad for me as anyone else's adequate to how the world *is* for me? I believe that it is not adequate, and that it is inadequate even by the consequentialist's own (implicit) views.

Yet even if it is right that consequentialists cannot neglect personal goods without making their theory inadequate, this says nothing yet about what it means not to neglect them. Perhaps impersonal goods are much more important, among the things that are present before us, than personal ones, so that they always dominate, and consequentialists should not in the end be moved from their position even if they did acknowledge personal goods. I will now explain why I think that this is not so – although I am not sure that all consequentialists would agree with all that now follows.

III The extent of deviation from consequentialism

I would, in broadly Nagelian fashion, say that humans simultaneously have two very different outlooks on the world which are both essential. Human beings simultaneously see that their own fate is as important as anyone else's, and that their own fate is especially important for them.

As just said, two things seem to be true about these outlooks: (1) Neither of these outlooks is peripheral compared with the other – both are central. (2) They are radically different – they make us into split beings, so to speak.

Their radical difference means that it seems very hard, if not impossible, to place the two on a common scale. In most cases, I do not see, for example, how we could say that you must do something about an impersonal evil that has size X by the measures of impersonal evils, even if it comes at the cost of a personal evil that has size Y by the measures of personal evils, but not if it comes at the cost of a personal evil that is, by the

[84] Kagan (1989), p. 369.

measures of personal evils, greater than size Y. The size Y would usually have nothing to go on, in other words, it would be baseless.

Still, I venture that, because both outlooks are, as said, central, we can say something (though not as a matter of logic) about when it is that one of the two outlooks is neglected, something that helps us in some cases. Suppose that I can make a great difference in impersonal goods – measured by the impersonal scale of what is 'great' and 'small' –, while the difference in personal goods – measured by the personal scale of what is 'great' and 'small' – is small, and yet I fail to do so. Then certainly I fail to take seriously that it is centrally a part of me to see that anyone's death (or pain, say) is equally important as my own.[85] Similarly, there can be cases where I can make a great difference in personal goods – measured by the personal scale of what is 'great' and 'small' – while the difference in impersonal goods that is made by doing so is – by the impersonal scale of what is 'great' and 'small' – small. If I do not do so, I fail to acknowledge that it is centrally a part of me to see that my own pain is for me something that is fundamentally different from, and worse than, just anyone's pain.

However, does this imply that sometimes I *must* morally further personal goods, even when doing so comes at the expense of impersonal goods, that is, when it is impersonally suboptimal?[86] No, this is not entailed, if we use the model of morality that I have proposed. For in that model, we imagined someone who judged my behaviour from the outside, while taking account of everything important present before me. Thus if the important things before me are impersonal and personal goods, which both call for promotion only, such an imaginary judge will take this into account. Yet because this judge observes from the outside, it is only my dealings with impersonal goods that are interesting to such a judge. From this viewpoint, my personal goods are just not goods – although it will be acknowledged that for me, from my viewpoint, they are. Therefore the judge will have no problems with my maximizing the impersonal good. My personal

[85] In contrast, I do not see that if I am to take seriously the impersonal part, I may deviate from maximizing the impersonal good only proportionally (the proportion could be fixed, cf. Scheffler 1982, or variable, cf. Mulgan 2001); for usually, a certain concrete proportion would have to be plucked out of thin air.

[86] This point has most clearly been raised by, again, Shelly Kagan (1989, p. 371ff.): how is it that, as many people think, we may sometimes promote personal goods at the expense of impersonal ones, but are not required to do so?

goods will never generate requirements not to do what is impersonally best – at best they may generate permission not to do this. (Thus in this account, there is place for supererogation.)

So what we have found so far is that it will in any case be an indefensible way of dealing with impersonal goods, and therefore on our model morally impermissible, not to make a great difference for the better in impersonal goods where one can do so at the cost of a small difference for the worse in personal goods. However, we have not ruled out that we have to go all the way: that our behaviour towards impersonal goods will only be defensible if we further them as best we can, except where making a small difference for the better in impersonal goods comes at great detriment to personal goods. If we have to stretch ourselves to that point, then we have to do very nearly what the consequentialist says we have to do.

Now there is obviously a huge difference between having to do what comes at little personal cost and having to go nearly all the way that a consequentialist would want us to go. Can we say more to fill the gap between the two? Perhaps we can, but I cannot see how. The two essential views on the world that we have are so different, and so hard to decide between when they conflict, that it might be very difficult to say more than that, since both are essential to us, we should not neglect either of them, on a plausible interpretation of what neglecting them is.[87]

Perhaps one can say more, but just suppose one cannot. Then a new problem arises. If the above is all we can say, can we then not say that we are permitted to go with the most lenient alternative that cannot be ruled out? That is, can we not say that we are always permitted to act so as to avoid making great differences for the worse in personal goods, no matter what the impersonal price of acting in this way rather than in an alternative way might be? (Or rather: that we are permitted to avoid adding great personal evils as long as we choose the way that is on expectation

[87] For someone who holds out hope that there may be more to say, cf. e.g. Scheffler (1991), p. 126–127. It may be that we can say more because we have good arguments for accepting or rejecting a moral theory that tells us more about how to strike the balance. However, I have argued that the consequentialist insistence that only impersonal goods should count morally is inadequate, and strange even by the consequentialist's own view of the world. And in the next chapter I will express some doubts about the main rival theory of consequentialism, Kantian-like contractualism.

impersonally the least suboptimal way of avoiding this?[88]) For even if we do not know if acting in this way treats our impersonal side well enough, it seems that to so act is completely permissible – not only possibly permissible – if we cannot know any more about how well we ought to treat it.

In reply, I would doubt whether this analysis is correct. I would always adhere to the 'possibly permissible', not only because something may come up that tells us more, but also (and mainly) because there is something dubious about choosing the interpretation of an uncertain state of affairs that is most favourable to yourself. It is in itself dubious whether *that* is permissible.[89]

To conclude, we can say that consequentialism should indeed be rejected for its cost to the agent, or, more precisely, because of how it asks agents to treat themselves. It focuses only on the impersonal goods that agents have before them, while neglecting the personal goods which are also centrally before the agent, as consequentialism itself must admit. However, even if one rejects consequentialism on this ground, one may still in practice end up with a position that is very nearly consequentialist. For it cannot be ruled out that one must always do what is impersonally best except when small differences for the better to impersonal goods come at the price of large differences for the worse in personal goods. On the other hand, it may also be the case that very large deviations from doing what is impersonally best are sometimes permissible. We will spell all this out once again in the concluding section.

2.2.3 To Conclude: Where Does All This Leave Us?

Let us now summarize the outcome of the previous section in some statements, and then reflect on where we stand.

The statements are the following:

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[88] In other words: as long as we choose the way of avoiding this that on expectation deviates from maximizing impersonal goods as little as possible.

[89] This dubiousness may, incidentally, explain why those who behave supererogatorily feel that it is their *duty* to do so (as Lagae 2005 points out they often do): they may feel that they ought to act on the interpretation of a dubious state of affairs that is *not* the most favourable to them. However, there may be other explanations as well.

The Modest Impersonal Statement = The Central Statement: For acts that are not greatly different with regard to the effect they have on *personal* goods but greatly different with regard to the effect they have on *impersonal* goods, you *must* choose the *impersonally* best one that you can.

The Modest Personal Statement: For acts that are not greatly different with regard to the effect they have on *impersonal* goods but greatly different with regard to the effect they have on *personal* goods, you *may* choose the *personally* best one that you can.

The Non-Modest Personal Statement = The Extreme Statement: If doing a certain act instead of an alternative one makes a great difference to *personal* goods, *perhaps* you *may* always do that act. (However, as already mentioned, for acts that are not greatly different with regard to their effect on *personal* goods but greatly different with regard to their effect on *impersonal* goods, you *must* choose the *impersonally* best one.)

The Non-Modest Impersonal Statement: If doing a certain act instead of an alternative one makes a great difference to *impersonal* goods, *perhaps* you *must* always do that act. (However, as already mentioned, for acts that are not greatly different with regard to their effect on *impersonal* goods but greatly different with regard to their effect on *personal* goods, you *may* choose the *personally* best one.)

It is possible that the statements that I have dubbed the 'central' statement and the 'extreme' statement are the most important of these statements. Roughly, and put more pointedly in the language of evils instead of goods[90], they say that we must always do what we can against great impersonal evils at little cost in terms of personal goods; and that we may perhaps always avoid acts that come at great cost in terms of personal evils, no matter what their price in terms of impersonal evils – as long as that price is as low as possible.

[90] On this nomenclature, see note 81 above.

This position is not a form of egoism, firstly because the central statement, which it endorses with emphasis,[91] is non-egoistic. Furthermore, we may well have to go beyond what this statement demands.

This last point bears emphasizing: we say that it *may* be permissible to always avoid incurring great personal evils in the impersonally least suboptimal way that you can avoid this. The *may* hides trepidation and hesitation, springing, as said, from the consideration that something may have been overlooked, and most importantly from the consideration that it may well be indefensible, when we are talking about the resolution of a difficult conflict, to declare justified the resolution which is most favourable to you.

To end, let us return to the deep layers of Bernard Williams's criticism: the potential conflict between the demands of some moral theory and the things that give us a reason for living. As we have understood Williams, he says a moral theory should not straightforwardly require us to give up, in certain situations, the things that make life worth living for us in the first place. However, it should not simply permit us always to hold on to those things either.

The above discussion has, starting from Scheffler, travelled a road that is very different from Williams's – and one which he could in many ways disapprove of. [92] Still, from where we stand after travelling this road, we can in some important ways agree with Williams as we have understood him. Firstly, we have come to the conclusion that we do not have categorical permission to follow our deepest projects, regardless of the price of doing so in impersonal terms. On the other hand, we cannot be categorically required to give up our deepest projects either.

To be precise, however, we have not talked about someone's deepest projects, but about great personal goods. Yet is giving up great personal goods really the same as giving up something like one's deepest project

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[91] In endorsing it, it in effect proceeds on the assumption that it is not a personal good for someone to act morally. However, as said in note 80 above, it is at least a *small* personal good for a person to act morally. This might quite possibly mean that we should endorse the central statement with even greater emphasis. It might also mean, among other things, that the statement should read: if you can do great impersonal good at the price of a small *or even moderate* personal evil, you should do so.

[92] Among other things, and as indicated earlier, we have not addressed Williams's deep criticism of moral theories, nor his internalism about moral reasons.

without which one has no reason to go on living?[93] It must be conceded, I think, that it is rather implausible that it is. Something should be called a great personal good as soon as giving it up is acting so as to leave one's good life in great disarray or tatters (or in much greater disarray or tatters than it was before).[94] That giving up such a thing does this, can suffice for making it justified to say that a person may be permitted not to give it up – although this is not a categorical permission, because the concerned person is also confronted with impersonal goods that call for promotion.

The price of a position such as the one we have taken is obvious. It leaves us with a great deal of uncertainty as to what we ought to do. I do not, however, see a credible way to eliminate the uncertainty. In any case, if the criticism of consequentialism that we made above is correct, consequentialism does not offer us a credible way to eliminate it. We shall ask in the next chapter whether contractualism does.

Because there is so much uncertainty in this position, it is all the more important that the uncertainty is not everywhere: the position holds that we should always at least do what we can against great impersonal evils without incurring great personal evils. This is likely to mean, as I shall argue in Chapter 6, that we should be doing quite a lot, and much more than most of us are currently doing.

Connected to this last point, it should be emphasized that this chapter has focused on cases where furthering the impersonal good and furthering the personal good conflict. Therefore it may have created the impression that such conflicts are omnipresent. Yet while they may be frequent indeed, often there is no conflict and we can have good lives ourselves while doing what is best for the impersonal good. What the central statement says is that we should exploit these cases of non-conflict to the full.

Finally, a note on terminology. I will speak of the position that we have provisionally embraced above, as a *cost-based* position. (I will also refer to it in the following chapters as 'the cost-based position'. This is not to

[93] Probably contrary to Williams, I would distinguish that without which one *has* no reason to go on living from that without which one *thinks* that one has no reason to go on living. Cf. section 6.1.2 below.

[94] In the end, Williams's deep commitments and ground projects are things of just this sort. If they fall away, one's good life suffers a lot indeed – but it is probably overstated to say that one has no reason at all to go on living if they are no longer there.

deny, of course, that there can be other positions that may be called 'cost-based'.) I do this because this label may easily although partly implicitly) remind us that the position that we have provisionally arrived at is a position that recognizes the appeal of consequentialism, *and* thinks that nonetheless consequentialism should be modified because what it requires the moral agent to do is in some sense too costly for them.

Still, we should keep in mind that referring to the above position as 'cost-based' has risks. For one, this label may suggest that what matters is only how a moral agent ends up – or how much the agent loses – when a certain moral theory is followed. If so, we are pushed from a focus on alienation (which we have adopted in the present chapter) to a focus on demandingness, that is, we are pushed from focusing on what it involves for me to act in accordance with a certain theory to focusing on what it entails for me if I and many others, or all others, follow the theory. However, the label is not meant to suggest that all that matters is how a moral agent ends up. In fact, we have held (and we will return to this several times below) that it matters crucially that a moral theory takes into account, in what it asks me to do, the world that I have before me. A second way in which talk of the 'cost-based' position can be misleading is that this talk may, for some, have very material and financial connotations.

Despite the drawbacks of the label 'cost-based', we will refer to the above position by this name. For, as said, the label can remind us that this position flows from a strong tradition of ethical thought, consequentialism, and a prominent criticism of this tradition, namely, that concerned in some sense with the cost that consequentialism entails for the agent.

3 Contractualist Criticisms

Doubts about Teleology, False Suggestions of Harmony, and Fair Shares

Must the cost-based position at which we arrived at the end of the previous chapter be modified or abandoned in the light of certain criticisms that can be found in the work of contractualist authors? This is the question to which we turn in this chapter. We will firstly argue that this cost-based position can withstand a number of criticisms frequently made by contractualist authors. Following this, we will go on to argue that this position may, in some ways, do better than contractualism.

3.1 Criticisms by Contractualism

3.1.1 Contractualism and Its Critical Motivation

The basic idea of contractualism is that certain rules are morally justified because 'a group of reasonable people would [choose them] to govern their interaction'.[1] The most famous contemporary contractualist theory is John Rawls's institutional theory.[2] Rawls seeks to formulate the basic principles that reasonable, fully cooperating persons would see as fair principles for governing the main social institutions (or, in his terms, the basic structure of society). Rawls says:

> [F]air terms of cooperation ... are terms each participant may reasonably accept, and sometimes should accept, provided that everyone else likewise accepts them. Fair terms of

[1] Kagan (1998), p. 241. Kagan uses the term 'contractarianism' to refer to what I call 'contractualism'. The formulation in the text may well exclude Hobbesian forms of contractualism. In any case, in this chapter I shall focus on the Kantian forms.
[2] Rawls (1971).

cooperation specify an idea of reciprocity: all who do their part as the recognized rules require are to benefit as specified by a public and agreed-upon standard.[3]

About what is 'reasonable' Rawls says:

As applied to the simplest case, namely to persons engaged in cooperation and situated as equals in relevant respects (or symmetrically, for short), reasonable persons are ready to propose, or to acknowledge when proposed by others, the principles needed to specify what can be seen by all as fair terms of cooperation. Reasonable persons also understand that they are to honor these principles, even at the expense of their own interests as circumstances may require, provided others likewise may be expected to honor them ...[4]

Rawls's theory is not a general moral theory. It primarily considers what the main institutions that govern the interaction between equal, fully cooperating people should look like, qua basic principles. T.M. Scanlon's contractualism, by contrast, primarily intends to address individual moral obligations, and it is often seen as 'the most fully developed and powerful version of contractualism'[5] to date with such intentions.[6] Brought to a formula, Scanlon's theory holds that:

... an act is wrong if its performance under the circumstances would be disallowed by any set of principles for the general regulation of behavior that no one could reasonably reject as a basis for informed, unforced general agreement.[7]

About what is reasonable, Scanlon says:

A claim about what it is reasonable for a person to do presupposes a certain body of information and a certain range of reasons which are taken to be relevant, and goes on to make a claim about what these reasons, properly understood, in fact support.[8]

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[3] Rawls (2000), p. 6.

[4] Ibid., p. 6–7.

[5] Ashford (2003), p. 273.

[6] It should be noted, though, that Scanlon uses the term 'morality' to cover 'what we owe to each other' (1998, p. 171), that is, in a somewhat narrower way than is common.

[7] Scanlon (1998), p. 153.

Scanlon speaks of what is 'reasonable to reject' whereas many other contractualist authors speak of what is 'reasonable to accept'. I will not problematize this contrast.

[8] Ibid., p. 192. Cf. also:

> According to my version of contractualism, deciding whether an action is right or wrong requires a substantive judgment on our part about whether certain objections to

Having very briefly presented the core elements of these two contractualist theories (which have many similarities[9]) we are going to leave these until the second section of this chapter. In the present section it is the various criticisms made by Scanlon and Rawls of the cost-based position arrived at in the previous chapter that concern us.

Both Rawls and Scanlon make it very clear that their motivation for developing their own theories is to provide an alternative to utilitarianism.[10] On the contrary, the idea in the background of the present section is that in so far as criticisms of certain aspects of utilitarianism, which also apply to the cost-based position, can be answered, the urgency to search for an alternative position is removed. The criticisms in question relate to teleological theories (what characterizes such theories will be explained shortly). This section has modest intentions: it does not intend to offer a positive defence of the cost-based position proposed in the previous chapter, but only attempts to argue that some criticisms need not be fatal to it.

The second section will then argue that the attraction of contractualism is still further diminished to the extent that there are doubts about contractualism itself. In discussing these doubts we shall return in particular to the core elements of Scanlon's theory, but also to those of Rawls's theory.

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possible moral principles would be reasonable ... [in other words, it requires judgments] about the suitability of certain principles to serve as the basis of mutual recognition and accommodation. (p. 194).

[9] For example, in Rawls's theory what is fair (as opposed to unfair) is very much connected to what reasonable people would accept, and so is what is right (as opposed to wrong) in Scanlon's. Furthermore, it will be clear that both Scanlon's theory and Rawls's have clear similarities to Kant's thought. For example, Scanlon's formula for what is wrong sounds much like a negative version of the first formulation of the categorical imperative ('act only on a maxim which you can at the same time will to be a general law'). (For the similarities and differences to Kant, see e.g., Rawls 1971, p. 221ff; Rawls 1993, p. 25; p. 99ff.; Scanlon 1998, p. 5–6.)

[10] As Rawls remarks, when a *Theory of Justice* appeared, utilitarianism had for a long time had great attraction as the most developed theoretical account going beyond intuitionism, that is, generally speaking, beyond a continued reliance on many distinct intuitions that are only systematized to a limited degree. Rawls states explicitly that his 'aim is to work out a theory of justice that presents an alternative to utilitarian thought'. (1971, p. 20) Likewise, Scanlon remarks that he is one of the authors who '[look] to views such as contractualism specifically as ways of avoiding utilitarianism'. (Scanlon 1998, p. 215.)

In contrast, the criticisms raised by Scanlon and Rawls that are addressed in the present section do not always flow from or point the way to the core of their own positions (although this is sometimes the case); rather, these criticisms are intended to make the case for an alternative to utilitarianism.

3.1.2 Some Standard Criticisms of Teleology

In the second chapter of his book, Scanlon extensively critiques 'teleological accounts' of the good.[11] According to him, such accounts hold that:

> (1) the primary bearers of value are states of affairs or, over time, ways the world might go; (2) states of affairs have intrinsic value; (3) so far as value is concerned, what we have reason to do is to bring about the states of affairs that are best, that is, have the most intrinsic value.[12]

The characteristics of teleological theories which Scanlon mentions are more or less the same as the characteristics of consequentialism that I mentioned in the previous chapter. His first two elements of teleology say (a) that there is in the end just one kind of valuable things or goods in the world. The third element says (b) that these goods call for promotion only. If there is something problematic about either characteristic (a) or (b), then this is likely to be a problem not only for utilitarianism but also for the cost-based position that we provisionally adopted in the previous chapter, for not only utilitarianism, but also this position has both characteristics: it too could say that for the purposes of what I should do, there are in the end only valuable states of affairs in the world that ought to be promoted. However, it will immediately add the distinction between valuable states of affairs as seen impersonally and valuable states of affairs as seen personally, but for our present purposes this is less important.

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[11] A note on nomenclature: Scanlon appears to use the terms 'good' and 'value' interchangeably (see Scanlon 1998, p. 80). I will do the same.

[12] Quoted after Arneson (2002), p. 317, who closely paraphrases Scanlon (1998), p. 79–80.

Scanlon thinks there is something problematic about both (a) and (b). We shall address his criticisms in turn, under the labels 'the states-of-affairs criticism' and 'the promotion-only criticism'.[13]

I The States-of-Affairs Criticism: Scanlon's suspicion seems to be that if one reduces every good to a state of the world (which can then be avoided or furthered), or, if one says that there is in the end only one kind of good in the world, one sees goods in a phenomenologically inadequate way. One more concrete suggestion may be that if one reduces every good to a state of the world, one implicitly sees all goods – 'in the shadow of hedonism', to freely use a Scanlonian expression – on the model of bouts of pleasure and pangs of pain.[14] However, many complex goods, the objection continues, are not like this. Friendship, for example, is not, or in any case not just, a pleasant state one finds oneself in, and of which one can subsequently say that as many people as possible should be in. Rather, friendship is a good which involves many complex practices and attitudes, such as spending time with people, being prepared to help them on certain occasions, and so on. So if one understands the world as a place of good and bad states of affairs only, and relatedly if one understands friendship as a pleasant state, one is doomed to misunderstand friendship.[15]

Defenders of teleological accounts can – apart from denying that their model reduces all goods to states of affairs[16] – answer this objection by claiming that a state of affairs need not be thought of on the model of a pleasant state, or in any other way that is clearly phenomenologically inadequate. For example, it is not necessary for a teleologist to see friendship in such a way. On the contrary, a teleological theory can recognize its full complexity:

> [I]f the state of affairs in which one person is a good friend to another is a desirable state of affairs, it follows that the state of affairs in which one observes the norms of friendship and thereby is a good friend is desirable ... If disloyalty and betrayal among friends are odious,

[13] My rendition of Scanlon will to some extent be an analytical reconstruction, since Scanlon criticizes teleology in general and does not always separate the various elements of teleology as we will do.

[14] Cf. Scanlon (1998), p. 100ff.

[15] Here, we use the example of friendship only to illustrate the objections. For more on friendship, see section 4.2.1 below.

[16] We shall not explore this reply here.

then the state of affairs in which one friend is betrayed in order to bring about friendships for others may be undesirable, all things considered ... If friendship [includes] quasi-deontological norms [and is a good, then] one has reason to develop friendship and be a good friend according to those norms and to be appropriately motivated in action by them. The good state of affairs thereby achieved is an instantiation of good friendship.[17]

In reply to the above objection it may thus be argued that one can recognize that a friendship involves many different attitudes, actions and so on, and still hold that the whole complex practice can be seen as a state of affairs.[18] More generally, one could suggest that many objections claiming to consider it inadequate to think about goods in terms of states of affairs, are in effect objections to a 'too coarse-grained analysis of what constitutes'[19] a good, where coarse-grainedness does not reside in thinking in terms of states of affairs per se.

II The Promotion-Only Criticism: Still, the following problem remains. Even if thinking of goods in terms of states of affairs is not in itself inadequate, it does have some implications which some might find unpalatable. For example, even if a state of affairs in which one friendship is destroyed is, all else being equal, much worse than one in which three are established, the former state of affairs cannot be worse than one in which three friendships are destroyed. So if goods call for promotion only, I must destroy one friendship if that is the only (or best) way to prevent three other friendships from being destroyed.

The reply to this objection can be twofold. Firstly, one can admit that, indeed, it follows from many teleological positions that one should destroy one friendship if this is the only way to prevent three from being destroyed. Is it so implausible that this is what one should do in this extreme example? Surely the position that one should not destroy one friendship to prevent three from being destroyed is at least as problematic.[20] However, more problems for a position that focuses only on the promotion of goods might ensue once one denies that there is a great difference between the bad associated with destroying one friendship and that associated with failing to bring one about: for then one would, according to such a posi-

[17] Arneson (2002), p. 319, also note 3.
[18] Cf. e.g. ibid., p. 318.
[19] Ibid., p. 319.
[20] Cf. e.g. Scheffler (1982), Ch. 4.

tion, have to destroy one friendship if doing so is the only way to form two friendships. Yet *if* it should be *very nearly as bad* not to bring about a friendship as it is to destroy one, would it then be implausible that in the utterly unpleasant situation where one could only form two friendships by destroying one, one ought to do so?[21]

Secondly, the cost-based position that we have provisionally taken at the end of the previous chapter says that perhaps I need not destroy one friendship to prevent three from being destroyed if the one friendship is mine. This second reply might perhaps satisfy authors such as Scanlon, who hold that if friendship is a good this means above all that there are considerations in favour of '[doing] those things that are involved in being a good friend: [being] loyal, [being] concerned with [one's] friends' interests, [trying] to stay in touch, [spending] time with [one's] friends, and so on'.[22] This reply might, in other words, satisfy authors who think that the good of friendship primarily calls for honouring it in one's own life, where that would mean something like devoting oneself to developing the bonds with one's friends,[23] rather than promoting it even where doing so comes at the expense of one's ability to honour it in one's own life.[24] However, this second reply – which says that I may give my own

[21] However, such a line of thought does seem to lead to implausible conclusions in the following case: if not bringing about new life should be very nearly as bad as killing someone. The fact that serious problems arise here seems to point out something that is well-known: that problems associated with future generations place teleological ways of thinking in particular difficulties (as Parfit 1984 has made very clear; cf. also Scanlon 1998, p. 103ff.). There may be solutions for these complex problems, for example, it might be defensible to accord the living some kind of 'prerogative' vis-à-vis those who do not yet live; but in this study we shall leave the complexities around future generations to one side.

[22] Scanlon (1998), p. 88. Scanlon does not deny that if friendship is a good, one also has considerations (of different kinds) in favour of promoting friendships, but he holds that the considerations involved in being a good friend are the most important ones there are if friendship is a good (ibid., p. 88–89).

[23] Cf. Pettit (1991), p. 231.

[24] However, many of them are unlikely to be totally satisfied by the second reply indicated in the text. For many will think not that one *need not* destroy one friendship to establish three. Rather, they think that one *must not* do this.

friendships special treatment – may also be thought to be problematic.[25] We shall turn to some of its problems in the fourth chapter.

From some of the criticisms that can be taken from Scanlon we move to further important criticisms of teleology made by Rawls. Rawls states that:

> [Teleological theories define] the good independently ... from the right, and then the right is defined as that which maximizes the good.[26]

This definition of teleological theories may not be essentially different from Scanlon's, but it does have some different accents. As a consequence, it can point to some further problems for an account – such as the cost-based position – that says that the right thing to do is to promote the good only.

III The Preceding-Good Criticism: The most obvious problem is that where the right thing to do is defined as maximally to promote the good, the good must be identifiable independently of what is right.[27] Let us concentrate on one important case where this does not seem to be so: if it were good for a person to behave morally.[28]

If it should be, very nearly, the chief good for a human being to act morally, the problems that arise for a teleological model seem to me insurmountable. By way of example: Peter Singer seems to be going in this direction.[29] He seems to suggest that it is someone's supreme good to be moral, or as he puts it, to 'live ethically', to respond 'to the amount of pain and suffering in the universe'.[30] However, the problems that this view holds for the teleologist are evident: if it is the supreme good for people to

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[25] Some have found the position that I must in some circumstances sacrifice another's friendship but not my own objectionable because there is no 'moral magic' in the pronoun 'my' (Arneson 2004, p. 46). We have argued in the second chapter, however, that even a straight consequentialist view implies that there is such 'magic'. However, the position might be problematic nonetheless. See section 4.1.1 below.

[26] Rawls (1971), p. 21–22. Rawls says that he owes this definition to W.K. Frankena.

[27] Cf. ibid., p. 22.

[28] Cf. also footnote 80 in Ch. 2.

[29] In Singer (1993b).

[30] Ibid., p. 280.

live ethically, then we should, if we want to further their good, not in the first place fight against their pain and suffering etc., but encourage them to live ethically. Yet how can we grasp, on this model, what an ethical life is, if the ethical life itself, rather than pain and suffering, for example, is the good that ultimately matters?[31]

On the other hand, for the teleologist to maintain that it is not at all good for someone to act morally is also problematic. For it seems very plausible that the likes of Stalin and Pol Pot can, because of their moral depravity, at least never have a *fully* good life.

There may not be a completely satisfactory way out for the teleologist, but I believe that there is a relatively plausible way out, which might look something like this: to be moral is a good – it is a part of the good life – but it is only a relatively small part of the good, other parts including, for example, friendships, developing one's cognitive capacities, and so on. This view is not totally satisfactory because, on the basis of it, it remains a part of the good to act in accordance with what is right. On the other hand, it is only a small part, the good being largely independent of the right. Therefore this view may be relatively acceptable.

To find out how acceptable it is, it might also help to consider its implications, which would be the following, among others. Firstly, furthering my friend's good does not primarily entail making him or her behave morally, but I do further my friend's good somewhat if I achieve this. Secondly, and admittedly this is un-Aristotelian to a considerable extent, people who behave very immorally, such as Stalin and Pol Pot, can to a very considerable extent, but not entirely, have a good life. Thirdly, it may be *somewhat* good for me to sacrifice my life if morality should require me to do so, but not sacrificing it is much better for me. I do not think that these implications expose the view as plainly unacceptable.

IV The Inhumanity Criticism: According to Rawls, a further problem for a framework where the right thing to do is to promote and only to promote the good, is that it faces great pressure to resort to a dominant end, that is, to reduce all goods to a super-good, so to speak.[32] An important reason

[31] This problem has similarities with the problem the consequentialist faces when not recognizing personal goods (see section 2.2.2).

[32] Cf. Rawls (1971), p. 490. Rawls's expression is a 'dominant end'. I will use this expression interchangeably with a 'super-good'. In speaking of a dominant end Rawls does not

why teleological theories tend to resort to a dominant end is, according to Rawls, that they crave for clarity about the good. For in such theories, all vagueness concerning the good leads to vagueness concerning the right. Furthermore, and relatedly, if you have a super-good, it is easier to imagine what maximizing the good could mean. However, Rawls considers that to resort to such a super-good is inhumane.

A reply might take its starting point in what Rawls says himself. He thinks that defining an objective goal as the dominant end leads to 'inhumanity and fanaticism',[33] and that pleasure as the dominant end does not do better.[34] However, as Rawls himself remarks, 'the inclusive end of realizing a rational plan of life is an entirely different thing'.[35] In general, one could say that a super-good can include many different goods. We may add that freedom is one of the things that it can include. For example, freedom is included in the dominant end that we shall propose in Chapter 6 below: that dominant end is people having a good life, the most important part of which consists in their having a real choice from a reasonable number of projects in which they can realize most of their key capacities to some extent. Here, the focus is explicitly on people being free, on their having real choice;[36] and on what Rawls calls an inclusive end.

Furthermore, this inclusive good need not – as the word 'inclusive' already suggests – be thought of in heavily substantive terms, but can instead be seen as *consisting of* the real freedom to realize certain key capacities to some degree. Nor need someone – if they think that the one kind of good that they discern calls for promotion only – hold that the comparison of goods poses no problems; they can admit that there are cases where goods can partially not be compared or weighed using a common measure. As Richard Arneson says, '[the] appropriate response to the fact of partial commensurability ... is that since it exists, one must learn to live with it'.[37]

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only mean that for teleological theories there are in the end only good states of affairs and that thus for such theories, goods are ultimately of one kind.

[33] Ibid., p. 486.

[34] Ibid., p. 488.

[35] Ibid., p. 489.

[36] Of course, 'freedom' can be specified in many different ways, not only by referring to 'real choice'.

[37] Arneson (2002), p. 323.

There might be a second answer to Rawls, which may be somewhat bland and well worn but which nevertheless deserves to be mentioned. Rawls offers an alternative to teleological theories in which he finds that, unlike these theories, not everything concerning the right is adrift until the good is specified. Also, and again unlike teleological theories typically do, his alternative does not require that we maximize the good. The alternative is to start with a relatively minimal anthropological position, according to which people have a capacity for a sense of justice and for a conception of the good,[38] and to think about which principles such people would choose to govern their interaction. In Rawls's case more particularly this would mean considering what principles they would choose to govern the main institutions of their society. Such people would then choose to distribute certain goods, goods that Rawls calls primary goods: goods that could serve the realization of any conception of the good; and they would choose to distribute these goods according to the two well-known Rawlsian principles of justice.[39] After having chosen the principles for the distribution of these goods, these principles would be taken as fixed, and each person could now think about their personal conception of the good and how they could realize this good, based on this conception. Yet, this would be done without the form of the main social institutions being dependent on such a conception, and on what maximizes the good based on such a conception.

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[38] More precisely, Rawls says:

> ... [T]he capacity for a sense of justice ... is the capacity to understand, to apply and to act from (and not merely in accordance with) the principles of political justice that specify the fair terms of social cooperation. ... a capacity for a conception of the good ... is the capacity to have, to revise, and rationally to pursue a conception of the good (Rawls 2000, p. 18–19).

This formulation from Rawls's later work can, without harm, be combined with many arguments that he makes in Rawls (1971).

[39] These principles are:

> a) Each person has an equal claim to a fully adequate scheme of basic rights and liberties, which scheme is compatible with the same scheme for all; and in this scheme the equal political liberties, and only those liberties, are to be guaranteed their fair value.
>
> b) Social and economic inequalities are to satisfy two conditions: first, they are to be attached to positions and offices open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least advantaged members of society (Rawls 1993, p. 5–6).

However, and this is the bland criticism of Rawls, this minimal anthropological position is of course not so minimal after all. Not only does it obviously already say a lot about what is important about people, but also, and importantly, it is exactly non-minimal to define people *only* by the two capacities that Rawls singles out. If one does so, it may well follow that people care about primary goods only,[40] but it is doubtful whether this would also follow if one thought very differently about human beings, as God-seekers, or craving for honour, for example.[41] This might show that – Rawls's disagreement notwithstanding[42] – there is not really a way to avoid thinking about what is good for people before one can speak about what is the right thing for them to do (or, in Rawls's case, what institutions they should choose).[43]

To complete this section, in connection with the inhumanity criticism let us mention a criticism made by Rawls which has become very famous. However, I will not attempt to examine all the ways in which this criticism can be interpreted and discussed. The criticism is that a theory that permits or even requires one to further the impersonal good as best one

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[40] There would still be the problem that such goods do not for *all* people serve certain important life plans. For some people, there will be no real freedom to pursue certain important life plans, even if they have primary goods as they should according to Rawls (cf. e.g. Sen 1980, 1992).

[41] Actually, in Rawls (1993), Rawls acknowledges that primary goods do not serve all purposes; rather they serve the development and exercise of people's two moral powers (their capacity for a sense of justice and their capacity for a conception of the good). Cf. Rawls (2000), p. 58.

[42] See e.g. Rawls (1971), p. 491.

[43] The same might be true for Scanlon. Scanlon says that for moral purposes we do not need a 'master value' of wellbeing, i.e., of 'what makes someone's life go better' (Scanlon 1998, p. 109). However, at the same time, he admits that when deciding whether or not certain principles are reasonably rejectable for the general regulation of behaviour, considerations of wellbeing are often the most salient considerations (p. 215). Scanlon denies that he is here resorting to wellbeing as something that comes before the right: according to him, to think of wellbeing as important in certain cases is already to resort to deliberation about right action. Still, I find it hard to understand how such deliberation could arrive (as it does, according to Scanlon) at principles such as the following without appealing to something like wellbeing that comes before the right:

> [I]f you are presented with a situation in which you can prevent *something very bad* from happening, or alleviate *someone's dire plight*, by making only *a slight (or even moderate) sacrifice*, then it would be wrong not to do so (p. 224, italics mine).

can – as the cost-based position at the end of Chapter 2 often also does – fails to take seriously the 'plurality and distinctness of individuals'.[44]

Perhaps this charge would be answered by a consequentialist as follows:[45] I do take seriously the notion that people are distinct, that it is from their own point of view that their projects succeed or fail, and that their friendships flourish or wither. It is with this in mind that I require agents to act so that as many people as possible achieve fulfilment from their point of view.

However, Rawls would probably find such an answer unacceptable, being utilitarian, or in any case being very close to utilitarianism in spirit. Yet what would an acceptable answer look like? Rawls may well think that his own theory provides an acceptable answer, as it certainly takes into account that each person 'is a separate person, that his is the only life he has', as Robert Nozick famously put it.[46] For according to Rawls's theory, all people can have a good life to some considerable extent. However, why, we may ask, is it that they can have a good life to a considerable extent according to the Rawlsian theory? I venture that it is due to the conjunction of two things. Firstly, Rawls focuses on ideal theory: he focuses on situations where everyone cooperates, and where the circumstances are relatively favourable, for example, where all fundamental needs are met.[47] Secondly, he focuses only on what a society's most important institutions should look like. If one abandons either of these focuses, or both, it might be very hard to think of a credible moral theory that does not, intuitively, sometimes violate the plurality and distinctness of individuals to a considerable degree.[48] These remarks are preparatory to certain criticisms of contractualism, to which we now turn.

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[44] Rawls (1971), p. 26

[45] As Scheffler might have him say (see section 2.2.2 above).

[46] Nozick (1974), p. 33.

[47] Cf. e.g. Rawls (1993), p. 7. Sometimes, Rawls does focus on *non*-ideal theory: e.g. Rawls (1971), Ch. 6; Rawls (1999), Part III; but the bulk of his theorizing does not.

[48] For example, paradoxically, libertarianism as it is generally understood does not do justice, intuitively, to the fact that the life of a poor person is the only life they have (cf. Sterba 2005, who argues for an alternative interpretation of libertarianism because of this). For another example: Scanlon might be seen as trying to do justice to the distinctness of persons (and attempting to move away from utilitarianism) by banning interpersonal aggregation. However, he does not succeed in doing justice to it, one might say, if his theory remains very demanding (see section 3.2.1 below).

Thus far, the line of argument in the present chapter has been that a number of criticisms that prominent contractualist authors make of the cost-based position taken at the end of the second chapter, can be answered. In the second section, we will take a critical look at the central ideas of contractualism to see whether the cost-based position has any advantages in comparison with contractualism.

3.2 Criticisms of Contractualism

3.2.1 Scanlon and the Seduction of Harmony

This section tentatively critiques Scanlon's contractualist theory. We focus on Scanlon because his theory is not an institutional one, but a general moral theory which primarily addresses the question of what individuals should do. We first raise doubts as to whether reasonable rejection can credibly be understood in a comparative way, as Scanlon does (as we shall shortly see). After that, some critical considerations follow regarding a second main characteristic of Scanlon's account, which is that an act is morally wrong if it cannot be justified to *each* individual separately. What that means will be explained more precisely below.

To start this tentative criticism, let us very briefly rehearse some basic elements of Scanlon's theory. To paraphrase the formula which briefly summarizes Scanlon's theory and which was cited at the beginning of the chapter, Scanlon thinks that an act is wrong if it would be ruled out by a set of principles that no one could reasonably reject for the general regulation of behaviour. Furthermore, in Thomas Nagel's words, for Scanlon, 'the question of what constitute reasonable grounds for rejection of a principle is an irreducibly normative one' and therefore 'the application of Scanlon's contractualism requires further value judgments'.[49]

In this section we concentrate on two further characteristics of what is involved, for Scanlon, in reasonable rejection. Firstly, people must object

[49] Nagel (1999).

to certain principles, as Elizabeth Ashford puts it, 'on their own behalf, and not on behalf of a group'.[50] She continues:

> This restriction ... bars interpersonal aggregation of complaints. If an individual has a reason to object to a principle, this objection will not be outweighed by a less strong objection held by more than one other person.[51]

Another feature of Scanlon's theory is that reasonable rejection is comparative. That is, if someone has an objection to a principle, this can only lead to the rejection of this principle for the general regulation of behaviour if no one else has a more serious objection against an alternative principle.[52] We begin with this last feature, and for the moment we just presume the first, that is, that an act is morally wrong if it is disallowed by a principle which an *individual* can reasonably reject.

It is, on the face of it, objectionable to conceive of reasonable rejection in a comparative way. That is, it is objectionable to say that one cannot reasonably reject a principle if others have stronger objections to alternatives than those one has to the principle in question. For on such a comparative understanding, one cannot, for example, say of any level of cost to an individual, that it is so high that an individual could reasonably reject the principle that requires him to bear this cost.[53] Yet it is very likely, intuitively, that one can reject some principle on grounds that are reasonable,

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[50] Ashford (2003), p. 276. Ashford draws on Scanlon (1998), e.g. p. 229ff. On p. 229, Scanlon says:

> ... the justifiability of a moral principle depends only on various *individuals'* reasons for objecting to that principle and alternatives to it. (emphasis in original)

Scanlon goes on to connect this feature of contractualism to its ban on interpersonal aggregation.

[51] Ashford (2003), p. 276.

[52] Ibid.. Ashford's interpretation of Scanlon draws on Scanlon's scattered and circumspect remarks on the comparative nature of reasonable rejection: see Scanlon (1998), e.g. p. 195–197, p. 205, p. 213, p. 229. Sometimes, however, Scanlon is very direct: on p. 196 he states very clearly that a principle is only reasonably rejectable if there is a better alternative to it. So I cannot reject a principle if someone has more reason to reject all of the alternatives than I have to reject the principle in question. On p. 229, he says: '... someone can reasonably reject a principle if there is some alternative to which no other person has a complaint that is as strong.' Scanlon goes on to criticize some parts of this thought, but he preserves the comparative nature of reasonable rejection.

[53] Cf. also Ashford (2003), p. 279.

regardless of whether others have stronger objections to alternative principles – for example, because it imposes very high costs on oneself. As Thomas Nagel says, principles that require one to accept certain levels 'of sacrifice to one's personal aims' to help the needy can be '… reasonably rejected … from the point of view of the well-off, as too demanding'.[54]

Nagel has an anthropological view in which it is central that humans have both an impersonal and a personal viewpoint, and the anthropological view we proposed in the previous chapter is in this respect close to his. However, the basic point would probably also remain tenable with very different anthropological positions: contrary to Scanlon, it is very likely that one can sometimes reasonably reject principles quite independently of whether others have stronger objections to alternatives – one could reject them, for example, because they neglect essential features of the world that are present before our eyes.

However, we should also consider what is to be said *for* Scanlon's comparative understanding of reasonable rejection. Its main advantage may be that it always delivers us a solution. In other words, on a non-comparative understanding of what principles are reasonably rejectable, often *no* principles will be found that are not reasonably rejectable.

Still, this advantage of a comparative understanding of reasonable rejection is not, I believe, enough to adopt it: the grounds for rejection that we would normally certainly think of as reasonable do not become unreasonable merely because admitting them jeopardizes the possibility of finding any principle that is not reasonably rejectable.

Where do we end up if we abandon the comparative nature of reasonable rejection? We can obtain an idea of this by looking at Thomas Nagel's version of contractualism. Like Scanlon, Nagel thinks that moral principles should be universally acceptable, more precisely, they should be

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[54] Nagel (1991), p. 50. However, Nagel makes it clear, and we shall return to this shortly, that in many cases where principles requiring a lot of sacrifice could be rejected, it would *at the same time* go too far to say that it is permissible for the well-off *not* to help. This would only be permitted in extreme cases:

> Above some level [of individual sacrifice in aid of others] we are clearly not required to help, because we can will a moderate degree of reservation of the personal domain as a universal principle even in the light of the full weight of the impersonal. (ibid.)

universally acceptable by human beings who are both impartial and partial:

> We want to live by principles that anyone can accept, partly but not only on the basis of an impartial concern for everyone.[55]

However, unlike Scanlon, Nagel is not prepared to declare principles acceptable by everyone simply because otherwise there would be no acceptable principles left in some cases. Concerning situations where affluent persons can help many needy people, but at potentially great cost to themselves, such as abandoning many of their dearest projects, Nagel says:

> If we ask, about this case, what can be willed as a universal law ... it is ... clearly unacceptable to fall below a modest overall level of aid to others ... But as we move above that level we gradually enter into a region where we cannot will as a universal principle *either* that one *must or* that one *need not* help the needy at that level of sacrifice to one's personal aims ...[56]

What this quote suggests is that if we adopt Nagel's model we are thrown back on the duality of human nature, and do not advance much, if at all, beyond the conclusions of the previous chapter. What we know for sure is that we must do great impersonal good where we can at little cost to ourselves, but beyond that nothing is very clear anymore.[57] To be sure,

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[55] Nagel (1991), p. 48. The similarity of 'universal acceptance' with the Scanlon formula is obvious. Nagel also makes the link with Kant very explicit (throughout p. 41–52):

> This requirement [i.e., that we live by principles that anyone can accept etc. JP] differs from the categorical imperative only in making explicit something already implicit in it — that I can will that everyone should adopt as a maxim only what everyone else can also will that everyone should adopt as a maxim ... (Nagel 1991, p. 48).

[56] Ibid., p. 49–50 (emphasis in original).

[57] Once again, we do not claim that our position follows Nagel exactly. However, I would like to add that regarding one important point the differences may be smaller than they seem. The point is this: one may wonder whether to say that all positions within a certain range are indefensible – as Nagel does – is not very different from saying that, within a certain range, all positions that one may take might be defensible – which is what we have said. I think that there is not so much difference here, at least not in terms of the practical effect. To say that within a certain range all positions are indefensible is, in effect, to fail to say that some positions in that range are more indefensible than others and thus to leave all the positions in that range equally open. (The range could concern, for example, how much

Nagel's hope is that the Kantian search for universally acceptable principles would help us to find an acceptable way of dealing with the duality of our nature. However, it is unclear how it could do so, and it is more likely, as Nagel himself ends up saying, that because of our dual nature, principles about which there can be universal agreement often cannot be found.[58]

Now, since our interest remains with the question of what the rich should do to fight poverty, it is important to ask whether, if we do conceive of reasonable rejection in a comparative way, we are likely to end up with an answer to this question that is very different from the answer just outlined. According to some, with Scanlon's theory we end up in much the same place as Nagel does, and where we did at the end of the second chapter. Thus Scanlon himself says that it is plausible that the following principle – which he calls the 'rescue principle' – is not reasonably rejectable (at least if it takes your previous contributions into account):

> [I]f you are presented with a situation in which you can prevent something very bad from happening, or alleviate someone's dire plight, by making only a slight (or even moderate) sacrifice, then it would be wrong not to do so.[59]

It is true that Scanlon adds that '[t]here may be stronger principles requiring a higher level of sacrifices in some cases ...',[60] but he does not specify those principles, nor the cases in which they would apply, thus giving the strong impression that when we are talking about what rich people like us should do for the needy, the rescue principle is the most important principle.[61] If so, we more or less end up in the same place on Scanlon's account as with that of Nagel.[62]

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cost to oneself one must take on if one can do great good for others but only at great cost to oneself.)

[58] Cf. ibid., p. 51–52. Nagel says that he hopes that 'theory will catch up with intuition' (ibid.) where claims coming from different persons are recalcitrant to combination. He goes on, however:

> ... Kantian unanimity, for all its obscurity, is clearly a very strong condition, so that it is by no means obvious that it can be met (ibid., p. 52).

[59] Scanlon (1998), p. 224.

[60] Ibid.

[61] There is a similar thrust in a suggestion by Nagel (1999) in his review of Scanlon:

However, it is more likely that if we accept Scanlon's comparative conception of reasonable rejection, we will end up far beyond the Scanlonian rescue principle indeed – a conclusion with which Scanlon may agree, but which he obfuscates in his text. Elizabeth Ashford explains how it is that we end up so far beyond the rescue principle:

[T]he cost to an agent imposed by all but exceedingly demanding principles of aid will be outweighed by the cost to individuals in need imposed by less demanding principles of aid. Consideration of the comparative strengths of the burdens faced by various individuals,

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> While no one could reasonably reject some requirement of aid from the affluent to the destitute, the cumulative effect on an individual life of an essentially unlimited requirement to give to those who are very much worse off than yourself, whatever other affluent people are doing, would simply rule out the pursuit of a wide range of individualistic values – aesthetic, hedonistic, intellectual, cultural, romantic, athletic and so forth. Would the certain abandonment of all these things provide reasonable ground for rejection of a principle that required it – even in the face of the starving millions? The question for Scanlon's model would be whether it could be offered as a justification to each one of those millions, and my sense is that perhaps it could, that one could say: 'I cannot be condemned as unreasonable if I reject a principle that would require me to abandon most of the substance of my life to save yours'.

Nagel adds, however: 'This sounds hard, and I am not sure whether Scanlon would accept it'.

[62] As for Rawls, his main interest is not in individual obligations, as we have said. Still, it may seem that his view implies that such obligations are limited, since his difference principle famously permits income and wealth to be distributed to a certain extent unequally if a less unequal distribution would give everyone less. However, by way of critical comment: it might be true that rational people look at matters this way if, in the 'Original Position' (Rawls's stylized situation that models reasonability), they choose the principles to guide the most important institutions of society. In such a situation, they may well allow inequalities that would not be necessary if the rich worked harder for less money. For such an arrangement might institutionally strike the right balance both for the rich and the poor, between their attending to personal and impersonal goods, and it might therefore be a fair arrangement (and an arrangement embodying reciprocity) that reasonable people would assent to. However, there are authors who disagree with this (cf. Cohen 2000, who also criticizes the basic structure as the main subject of a theory of justice). But most importantly: even if one does not disagree here, it does not settle the question of what individual duties the rich have. If we ask that question in a contractualist framework, we may well come back to either Scanlon or Nagel. As said before, if Rawls seems to find a harmonious solution to the problem, it may well be because the bulk of his theorizing has a doubly restricted focus: he focuses only on a society's main institutions, and only on ideal situations (i.e., situations where conditions are relatively favourable and where everyone cooperates).

then, will lead to nonrejectable principles of aid that will impose demands on the agents which could be and are likely to be just as extensive as those imposed by utilitarianism.[63]

If Ashford is right, understanding reasonable rejection in a comparative way does make a practical difference. Furthermore, if she is right, the suggestion, which one may easily obtain from Scanlon's own remarks, that we can stick to a comparative notion of what is reasonable – which *does* ensure agreement – *and* come to the conclusion that the rich need not do so much that they would in effect completely give up their lives as they are now leading them, is a misleadingly harmonious one.

As said, I believe that we must give up the comparative understanding of reasonable rejection. If we do not give up contractualism as a whole, we might well come to a version of contractualism such as Nagel's, which does us not take us far – if at all – beyond the conclusions that we arrived at with our teleological cost-based framework.

Yet maybe Scanlon's contractualism has certain elements that have not yet been discussed and that call for a fundamentally different answer to our central question than that provided by the cost-based position. For, Scanlon thinks that his picture of morality is fundamentally different from a teleologist's, one of the main differences being that Scanlon holds that one's behaviour is morally justified not if it gives enough weight to *all*, but if it gives enough weight to *each* person separately.[64] I will now explain the distinctiveness of this emphasis on each person separately – as opposed to all persons – somewhat more extensively, and tentatively argue that the suggestion that we can justify our behaviour to each in a sense that differs from justifying it to all, may be another unwarranted suggestion of harmony.

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[63] Ashford (2003), p. 288. Ashford uses the word 'demanding' in a more general sense than we used 'demandingness' in section 2.2.1. When saying this, Ashford takes into account the fact that Scanlon emphasizes that considerations of wellbeing are not the only considerations that can lead to reasonable rejection, and that he wants to think in terms of generic reasons (reasons that refer to what people in general have reason to want, etc.). For in cases of aid, reasons having to do with wellbeing are clearly the most important ones, and they are generic.

[64] For other differences, see section 3.1.2 above.

One could understand reasonable rejectability in a very formal way, which would make it compatible with consequentialism. The consequentialist Arneson initially interprets it in such a way:

> The bare statement of contractualism seems to me unobjectionable ... because it is purely formal and so far lacking in content. What is not reasonably rejectable, I would say, is whatever there is most reason to accept. The principles that determine what is right and wrong are those supported by the best reasons that bear on this topic. To this no one should object.[65]

However, as already stated and as Arneson also goes on to say, Scanlon intends justifiability to each and everyone in a substantive sense, namely, as banning interpersonal aggregation. In other words, Scanlon's position on interpersonal aggregation is that a greater objection to a candidate principle by one person cannot be outweighed by smaller objections to it by many persons, even if they are very many and their objections are not much smaller.[66] However, this position is very problematic, as Arneson remarks:

> The implausibility of Scanlon's stand against interpersonal aggregation becomes evident when we reflect that a plausible deontology will countenance interpersonal aggregation just as consequentialism does ... [a] deontology of absolute constraints ... is hard to accept. As we imagine the consequences of conforming to some deontological constraint becoming more and more horrendous, at some point surely there is a threshold of badness such that any proposed deontological rule, however sacred, should be violated if this treshold of unacceptable consequences is reached.[67]

Arneson might be read as saying, among other things, that it is at some point implausible that one may not kill one person to save a very large number from being severely wounded. By contrast, Scanlon's position on interpersonal aggregation says that this is never permitted. It is in line with his position – and Scanlon does in fact take this line – to go even further than this and to say that an activity that considerably benefits many

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[65] Arneson (2002), p. 325. If Arneson has got it right, contractualism can then lead, at a less fundamental level, to consequentialism, for example (cf. Kagan 1998).

[66] Cf. Scanlon (1998), p. 229ff., cf. also e.g. p. 240–241. Scanlon himself grapples with the implausible implications that his ban on interpersonal aggregation seems to have, but he does not in the end abandon it.

[67] Arneson (2002), p. 332.

but foreseeably harms far fewer persons (or also only one person) even more considerably, even if we do not know beforehand whom, is not permitted – at least if the person who will be harmed did not stand to benefit from the activity: if this were the case, things may be different; but we will leave this complication to one side. Or, as Ashford puts it, Scanlon holds that:

> ... the remoteness of the probability of being burdened does not diminish the complaint of the person who actually suffers the burden, in cases in which those burdened by the principle were not also potential beneficiaries of it.[68]

However, if this is where a ban on interpersonal aggregation is likely to lead us, then it seems to prohibit very many activities if we maintain a comparative understanding of reasonable rejection, to the extent of making our lives very nearly impossible. Below is one of many possible examples, this one taken from Ashford:

> [I]n deciding whether a principle permitting air travel can reasonably be rejected, we need to compare the burden of not being allowed to travel by air with the burden of actually being killed. And the burden of being killed outweighs the burden of forgoing air travel.[69]

If we do not adhere to a comparative understanding of reasonable rejection, then to ban interpersonal aggregation, if it takes the turn just outlined, is likely to lead us to a tremendous number of standoffs – to a tremendous number of cases where we cannot say whether certain behaviour is permitted or not. Perhaps this is just the way it is, but another possibility is that banning interpersonal aggregation is simply too strict a position.[70]

The above considerations can easily be taken much further and to higher degrees of sophistication. However, from what we have seen so far we can already arrive at a tentative conclusion about the move to ban interpersonal aggregation; a move which is closely connected to the em-

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[68] Ashford (2003), p. 298; cf. Scanlon (1998), p. 208.

[69] Ashford (2003), p. 299. Here too, Ashford takes into account that Scanlon only wants to let relatively generic considerations bear on what is reasonably rejectable, and also that he wants to allow considerations that do not have to do with wellbeing to have bearing.

[70] With the cost-based position there are not so many standoffs. For example, each person is always permitted to promote the impersonal good as best they can.

phasis on justifiability to *each* person. Our tentative conclusion is that this move may well be another false suggestion of harmony, that is, a suggestion that we can arrive at a more harmonious solution than is really possible. Our situation may well be that we cannot avoid interpersonal aggregation, at least not without, as Arneson puts it, finding a cure that is worse than the disease.[71] The most – or perhaps more accurately, the best – we can do is to try and find the most credible form of interpersonal aggregation, perhaps by giving more weight to the claims of those worse off.

Finally, to say that we might be unable to avoid aggregation where a simultaneous good life for everyone is not possible, is to concentrate on the difficult, tragic cases. Often a good life for everyone is possible, and there is no conflict between the good lives of different people. In such cases, the quest for harmony is not elusive, and we need not trade off one person's good against another's, nor need we bend the expression 'reasonable rejection' so as to be able to arrive at a solution that is not 'reasonably rejectable'. No wonder, then, that Nagel, for example, says that our first focus must be on creating such situations of harmony.[72] The work to be done here, he thinks, is primarily to build good institutions.

3.2.2 On Folk Contractualism

One of the greatest attractions of contractualism may be its seeming ability to provide some clarity about what we should do for others (more particularly, what rich individuals like us should do about poverty) when the cost to ourselves is no longer small. However, if what we have said about the comparative understanding of reasonable rejection is correct, contractualism may not be able to tell us more about this after all. Furthermore, the enterprise of tentatively criticizing contractualism can be taken further still, for contractualist thinking tends to engender theories that tell us that we often do not need to do even that which we can do at little cost to ourselves. I do not mean to say that many famous contractualists actually endorse this conclusion: in fact, they do think that we need to do for others at least what we can do at little cost to ourselves. We have seen that

[71] Arneson (2002), p. 333.
[72] Cf. Nagel (1986), p. 206.

this is true for Nagel and Scanlon, and it is true for Rawls too, as we can gauge from what little he says about individual duties:

> The most important natural duty is that to support and to further just institutions. This duty has two parts: first, we are to comply with and to do our share in just institutions where they exist; and second, we are to assist in the establishment of just arrangements when they do not exist, *at least when this can be done with little cost to ourselves*.[73]

What I do mean to say is, firstly, that even if the prominent contractualists do not, many others who think broadly in accordance with the model of 'what nobody could reasonably reject' (in other words, who think in a roughly Kantian manner) do end up with fair share arguments such as: 'I need only do my fair share in a cooperative scheme where if everybody did this it would suffice to solve the problem; and I need not do more even when I can at little cost to myself'.[74] An example here, is provided by Robert Van Wyk, who sees himself as arguing in a Kantian fashion. It is true that he says that:

> ... it is a strict duty ... for an individual to give *at least* her fair share, according to some plausible formula, toward seeing that all human beings are treated as ends in themselves ...[75]

However, his discussion strongly suggests that, apart from some secondary considerations,[76] it is all right if people do not give more than their fair share, as just specified, even if they can give more at little cost to themselves.

Secondly, even if many prominent contractualist thinkers do not subscribe to such 'folk contractualist' views, as we may perhaps call this fair share argument – that is, even if one could do more good at little cost to

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[73] Rawls (1971), p. 293–294, emphasis mine. On this point, there seem to be no differences with Rawls (1993).

[74] Note that the more general thrust of such arguments, that everyone need only do their part in some division of moral labour, also tends to lend legitimacy to an individual not doing a lot of things that could easily be done, with the argument that it is the task of the government to undertake action.

[75] Van Wyk (1988), p. 426 (emphasis mine).

[76] As well as apart from duties of reparation that we may have (for these duties, cf. section 4.1.2 below). These leave unchanged the fact that, according to Van Wyk, one need not always do what one can do at little cost to oneself.

oneself, one need not do more than something like one's fair share in a cooperative scheme where, if everyone did their share, some problem would be solved – the emergence of such views is not a coincidence, but flows from deep tendencies in contractualist thought to which even the major contractualist theorists often feel drawn.

However, before showing why contractualist thought feels particularly drawn to such views, we should ask what, if anything, is problematic about these views (so that it is problematic if contractualism tends to embrace them). Firstly, and most obviously, many think that it is intuitively deeply objectionable to say, as these views do, that one need not always, even when one can do so at little cost to oneself, fight great evils that befall others. However, because one can contest the weight that such an intuition can carry philosophically, a second point may be more important – that these views are objectionable in the light of many of the most prominent contractualist authors themselves. These authors – such as Scanlon and Rawls – do not believe that one is justified in doing less for others than what one can do at little cost to oneself, and sometimes their theories are actually likely to support much more demanding conclusions, as we have seen in the case of Scanlon. So it *is* a problem if contractualist theorizing should have tendencies to come to the conclusion that it is all right to do less than this.

The fact that prominent contractualists distance themselves from the conclusion that we need not always do great good for others even if we can at little cost to ourselves, does of course mitigate the criticism that contractualist theories tend to reach such a conclusion. However, it does not make the criticism void, if contractualist theorizing continues to have, in spite of the fact that prominent contractualists distance themselves from it, persistent tendencies to arrive at this conclusion.

Why should contractualist theories be particularly drawn – above all, more drawn than teleological theories – to embrace conclusions such as that which states that even if one can do more at little cost to oneself, one need do only one's fair share in a cooperative scheme where, if everyone did their share, this would suffice to solve certain problems? We mention three reasons.

Firstly, there is a deep affinity between contractualist thinking and taking reciprocity – in a sense of the word that is not far removed from having to do only your fair share in a cooperative scheme as described

above – as the cornerstone of a moral theory. Indeed, taking reciprocity in such a sense as a cornerstone is, for many, a major source of attraction to contractualist theorizing. The quotes from Rawls at the beginning of the present chapter make the centrality of reciprocity in his thought very clear and they also show that an emphasis on reciprocity tends to move in the direction of fair share arguments in the sense just explained.[77] I shall repeat the quotes used at the beginning of the chapter with the reciprocity-related parts in italics:

> [F]air terms of cooperation ... are terms each participant may reasonably accept, and sometimes should accept, *provided that everyone else likewise accepts them*. Fair terms of cooperation specify *an idea of reciprocity: all who do their part as the recognized rules require are to benefit as specified by a public and agreed-upon standard*.[78]

And:

> As applied to the simplest case, namely to persons engaged in cooperation and situated as equals in relevant respects (or symmetrically, for short), reasonable persons are ready to propose, or to acknowledge when proposed by others, the principles needed to specify what can be seen by all as fair terms of cooperation. Reasonable persons also understand that they are to honor these principles, even at the expense of their own interests as circumstances may require, *provided others likewise may be expected to honor them ...*[79]

We may add that whereas an idea of reciprocity that is close to the folk contractualist view mentioned above is also close to the basic inspiration of Kantian-like contractualist positions – and may also be one of the main sources of attraction of such theories – it is surely typically less central in many teleological theories, which are often criticized exactly for not paying attention to reciprocity in a sense close to the folk contractualist view.

A second and related reason why contractualist theory has a tendency to say that one sometimes need not do great good for others even if one can do so at little cost to oneself – that one need, for example, not do this if by doing so one would be doing more than one's fair share in a cooperative scheme as described above – is that the idea of fairness is central to many

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[77] Although, once again, Rawls himself resists the conclusion that one need sometimes not greatly help others even if one can do so at little cost to oneself.
[78] Rawls (2000), p. 6.
[79] Ibid., p. 6–7.

contractualist theories. Now, fairness is trivially central in any moral theory if it is taken in the sense that someone is treated fairly (or not wronged, or something similar) when they are treated in accordance with the principles according to which the theory holds that they should be treated; and that they act fairly if they treat others in accordance with the principles of the theory. However, in contractualist theories the idea of fairness often also figures centrally in different and less trivial senses. Scanlon, for example, says that people can object to a principle if it is unfair in the sense that it arbitrarily brings advantages to certain people.[80] This particular kind of fairness needs not be a problem, but the idea is conveyed that contractualism can also readily acknowledge fairness in different senses – perhaps in the sense of not having to do more than a fair share in accordance with the folk contractualist view – as playing a role in determining what is and is not reasonably rejectable.

We can add that since teleological theories typically insist that the rightness of an action is determined only by how it furthers the good, notions of fairness – other than those which simply declare it fair if one acts or is treated as the theory says one must act or be treated – will usually have a restricted role in such theories: only if it is considered a good to be treated fairly can they figure. By contrast, theories that allow, as morally relevant, not only reasons that refer to goods, but also other reasons – and contractualist theories often do this – can allow for considerations of fairness much more easily, and even when they admit that it is not a good to be treated fairly.

The third feature of contractualist theories that leads them in the direction of saying that we need not even do what we can do at little cost to ourselves, is that they tend to neglect the particulars of situations. If one were only looking at the world as it is, and at situations with their full particulars, it would be rather implausible that one would declare it justified not to do for others what one can do at little cost to oneself. However, contractualists tend to look away from the entire actual situation, for example (as with Rawls), to a hypothetical situation that models the intuitions about fairness that we do in fact accept or can, on reflection, be brought to accept;[81] or, another example, following Scanlon, because general principles must supposedly draw on generic reasons. (They must

[80] See Scanlon (1998), p. 212.
[81] Cf. Rawls (1971), p. 514.

do this, according to him, in order to omit interests that not everyone has reason to be concerned with, and because the acceptance of a principle has implications that transcend individual situations.) I do not want to present and discuss these Rawlsian and Scanlonian moves away from particular situations in any detail here. For even if they are not discussed in any detail, it seems clear that such moves might avoid denying that one should always at least do for others what one can do at little cost to oneself. According to Rawls and Scanlon themselves they *should* avoid denying this statement. Yet such moves can and do generate confusion. They can lead, for example, to surreptitiously transposing a solution that would be good for a more ideal situation to a less ideal situation (for example, one of less compliance with the moral theory in question). Another example might be that they fail to take into account that something which is generally costly for people to do to help others, is for some people not costly at all, so that it is plausible that the latter have to help, even if the former perhaps need not help. Thus, in the end, neglecting the particulars of situations does risk one being led to sometimes say that even though one can help others greatly at little cost to oneself, one need not. For one, if we move away from actual situations we realize less how intuitively problematic it is not to have to provide great help when one can do so at little cost to oneself. For another, moves away from actual situations generate complexities that may lead one astray.

Here too, we can add that teleological theories are less subject to the risks just indicated. For the very focus of teleological theories, namely the focus on goods, easily takes one back to the world as it is here and now, and away from hypothetical situations and generic considerations. To take one example: the hard time that rule consequentialism notoriously has, despite its name, in finding a genuinely consequentialist justification testifies to this. How could it ever be justified in terms of consequentialism to adhere to a rule that would in some circumstances have the best conesquences, but not in the actual circumstances? Yet rule consequentialists often require this of moral agents.

In sum: the three tendencies just outlined do have special force for contractualist theories as opposed to teleological theories, and because of features that many prominent contractualists theories share. Our cost-based position, then, which is teleological, runs less of a risk than contractualist theories of condoning not acting against impersonal evil, at least when one can do at little cost to oneself. The position does not run less of a risk here

primarily because it says that one is obliged always to do at least this much, as many contractualists also say this. Their theories, however, have features that continue to pull them toward different conclusions, and our cost-based position, being teleological, has these features to a much lesser extent.

To Conclude

At the end of the second chapter, we arrived at a cost-based position, the most important elements of which may be put somewhat simply as follows: if you can do great impersonal good at the price of a small personal good, you must do so; and, you may be allowed to not do great impersonal good if it comes at a great price in terms of personal goods.

In the first part of this chapter, we discussed some prominent criticisms of this position made by contractualist authors. These were: the picture that this position has of what is good and valuable is inadequate; it is problematic to say that goods call for promotion only; it cannot be sustained that the good precedes what it is the right thing to do; and the cost-based position tends to have inhuman elements, such as a dominant good. We have answered all of these criticisms.

The second part of the chapter tentatively criticized contractualism on some points. It was argued that Scanlon's contractualist theory suggests, in at least two ways, that we can arrive at a more harmonious answer to questions, such as our central question of what rich people like us should do to fight poverty, than we really can. Firstly, Scanlon unjustifiedly suggests that we can always arrive at principles that nobody can, on a credible notion of what is not reasonably rejectable for them, reasonably reject. If we adopt a more credible form of contractualism, such as Nagel's, we may well be unable to advance beyond the cost-based position that emerged at the end of the second chapter. Secondly, it may be indefensible to demand that my behaviour be justifiable to each rather than to all, at least if this demand is interpreted – as it is by Scanlon – as implying a stance against interpersonal aggregation. Finally, we have argued that the cost-based position may well have an advantage over contractualist positions in that it has less of a tendency than contractualism to arrive at the conclusion that sometimes we need not do great good for others even if we can do so at little cost to ourselves.

For the time being, then, the cost-based position that we embraced earlier can stand, above all because it builds on a relatively attractive picture of the world which moral agents have before them, and because it has withstood certain important criticisms, as well as having been shown to possess some comparative advantages over contractualist theories. As long as this position still stands, this means, most importantly, that we should act against poverty in so far as it is impersonally best to do so, at least when we can do so without giving up great personal goods.

Still, we need to consider a number of further criticisms of the cost-based position, criticisms that argue that it is at odds with intuitions that concern crucial matters and that we certainly would not want to give up, or that the position has objectionable implications. The next chapter will consider such criticisms.

4 Diverse Criticisms

The Treatment of Others, Responsibility-Sensitivity, and Special Relationships

In this chapter we will investigate whether the position we have reached so far in relation to the question of what the rich should do about poverty, and which we have called the cost-based position, can withstand a number of serious criticisms. The criticisms to be addressed in this chapter are thematically ordered.

4.1 Synchronic and Diachronic Criticisms

4.1.1 What You May Do Unto Others and What They May Do Unto You

At the end of Chapter 2, we arrived at a cost-based position that the objections posed in Chapter 3 did not in the end give us reasons to reject. The most important aspects of this position are:

The Central Statement: For acts that are not greatly different with regard to the effect they have on *personal* goods but greatly different with regard to the effect they have on *impersonal* goods, you *must* choose the *impersonally* best one that you can.
The Extreme Statement: If doing a certain act instead of an alternative one makes a great difference to *personal* goods, *perhaps* you *may* always do that act. (However, as already mentioned, for acts that are not greatly different with regard to their effect on *personal* goods but greatly different with regard to their effect on *impersonal* goods, you *must* choose the *impersonally* best one.)

One may object to this cost-based position because of how it possibly permits – and sometimes even requires – us to treat others: it may permit us to harm others, and to force them to take on costs that they would not be obliged to take on voluntarily. Immediately ensuing from this criticism, is the complaint that the cost-based position may permit – and sometimes even require – others, and the government, to treat us in certain intuitively objectionable ways. The present section deals with these objections.[1]

The Harm-Doing Criticism. The cost-based position defended above says that one may perhaps always avoid great cost to oneself, at least if one does so in the impersonally least suboptimal way that one can, that is to say, if one does so in the way that deviates from maximizing impersonal goods as little as possible. However, this has as a consequence that one may be allowed to do horrible things to others (or, in other words, to harm them[2]) whenever (a) harming them avoids great personal evils (or, in other words, avoids great costs to oneself) and (b) it is impersonally the least suboptimal way of doing this. However, is a position that allows us to do harm to others under these conditions not objectionable?[3]

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[1] Our discussion owes much to objections that have been made against Scheffler's proposal to accord agents an agent-centred prerogative to refrain, to some extent, from maximizing the good. For a thorough overview of many of these objections, see Mulgan (2001, Ch. 6). As explained in section 2.2.2 above, our position differs from Scheffler's. However, there are a number of objections that apply to both positions, although not to the same degree.

[2] By 'doing horrible things' to people I mean: doing things to them that we intuitively find horrible. I shall use the less cumbersome expressions 'doing harm' to people or 'harming' people as synonymous with 'doing horrible things' to them. Thus no technical meaning of the term 'harm' is intended. Furthermore, I will assume that the conceptual distinction between doing horrible things and allowing horrible things to occur is reasonably clear. This is surely a very optimistic assumption. For example, Pogge (e.g., 2004, p. 274-275; 2005) grapples with the notion of doing harm, and seems in the end to define it as behaving more unjustly or more wrongly than is necessary under the circumstances: a definition that is quite some distance from any intuitive understanding of the doing-allowing distinction.

[3] For a somewhat similar criticism of Scheffler's view, see Kagan (1984, 1989).

A different criticism that might be made of the cost-based position is that it does not allow that doing horrible things is morally much worse than allowing them. However, this criticism is mistaken: the cost-based view can well acknowledge that doing something horrible is much worse than allowing it. To begin with, such a view can acknowledge that doing something horrible is *intrinsically* (i.e., all else being equal) worse, morally speaking, than allowing it. (One prominent author who subscribes to an intrinsic moral

One could say: (1) no, it is not objectionable, because the conditions will never be fulfilled; or: (2) no, it is not objectionable, because – contrary to what was just suggested – the cost-based position can forbid doing horrible things to people in many cases (or it can even *always* or absolutely forbid it[4]) even if these conditions *are* fulfilled. Or one could say: (3) no, it is not objectionable, because if these conditions are fulfilled – and sometimes they will be – it is not implausible to fail to forbid doing harm to people. If, however, none of these three replies works, then the cost-based position may well be objectionable because it sometimes may permit doing horrible things to people. Let us take the three replies in turn.

Concerning the first reply we can be brief. It does seem to be the case that at least sometimes one can avoid great cost to oneself by doing horrible things to others. A variation on the notorious Jim-and-the-Indians case[5] provides a clear – but very extreme – example: if the colonial captain says that unless you kill one Indian he, the colonial captain, will kill you, it seems that you can avoid great cost to yourself (to the extent that you can avoid it here) by killing someone. The same variation on this case shows that it is plausible that doing harm to others is sometimes the least impersonally suboptimal way[6] to avoid great cost to yourself: for in the

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difference between the two is Pogge 2002.) It may be more plausible, however, for a view with many consequentialist sympathies such as the cost-based view, to hold that it is mysterious why doing something horrible would be intrinsically worse than allowing it. However, since all else is typically not equal, it generally constitutes a much greater evil to do something horrible than to allow it: doing something horrible usually has many more worse effects for the victim, for society, and for the agent who does it, than allowing something horrible.

[4] To absolutely forbid impersonally suboptimal harm-doing is simply always to forbid it. However, a prohibition can also be non-absolute: it can state, for example, that impersonally suboptimal harm-doing is forbidden, but that there are some exceptions, e.g. it can allow such harm-doing if the harm is somehow limited and the cost to the agent of abstaining from harm-doing is abysmal.

[5] This case occurs in Williams (1973).

[6] One might have different views about this if, for example, one should resort to collective forms of consequentialism, that is, if one appeals to the consequences of a harm being done by everyone or a majority, or some such thing (as Scheffler seems to do at some points in Scheffler 1992, e.g. p. 178–179). However, collective consequentialism has persistent problems in earning its credentials: for how is it that hypothetical consequences (i.e., consequences as they would be if everyone or a majority did something) can take priority over actual consequences?

mentioned variation on the case it is presumably the *only* way to avoid great cost to yourself.

The second reply – that it is possible for the cost-based position to forbid harm-doing, and even absolutely to forbid it, even when such harm-doing is the impersonally least suboptimal way of avoiding great cost oneself – could be developed in at least two ways: (a) one could hold that harm-doing is forbidden across the board, that is, also when it would be impersonally optimal to do harm. Alternatively, (b) one could hold that although impersonally optimal harm-doing is not forbidden, impersonally suboptimal harm-doing is.

Ad (a). For a position such as the cost-based position which we reached at the end of Chapter 2 – that sees the world as a place of impersonal and personal goods only, which only call for promotion – it is hard to see how impersonally optimal harm-doing could be forbidden. For if the harm-doing is impersonally optimal, then by definition it costs less in terms of impersonal goods than it delivers. One could, of course, say that some act of harm-doing has so many bad consequences, in terms of feelings of insecurity, the example it sets, the horrendous things it brings for the person who suffers as well as for the person who does it, for example, that it is very unlikely to be impersonally optimal.[7] Considerations of this sort may indeed do a lot to explain why it is typically not impersonally optimal to do harm, and also why it is typically a lot worse to do harm than to allow it, even if the latter can also be very bad. However, such considerations do nothing to explain why, on the cost-based position, doing horrible things would be forbidden *if* it is impersonally optimal. Such a prohibition seems very ad hoc.[8]

Ad (b). One may still hold that it is possible to think of a position that permits impersonally optimal harm-doing, but forbids impersonally suboptimal harm-doing. This would give us a modified extreme statement that reads: perhaps you are always, but for one exception, permitted to avoid great cost to yourself, if you avoid it in the impersonally least suboptimal way in which you can avoid it; the exception would be that you

[7] Also, one may hold that doing horrible things is intrinsically very bad, much worse than allowing horrible things. Cf. note 3 above.

[8] See section 2.2.2 above for discussion of the question of why considerations concerning personal goods cannot give us grounds to prohibit any action that is impersonally optimal.

must not do harm to others in order to avoid great cost to yourself.[9] Scheffler, for one, says that a position that combines permitting impersonally optimal harm-doing while forbidding impersonally suboptimal harm-doing, may be defensible because there is no logical contradiction in a view that makes such a combination.[10] However, as Ramon Das rightly objects, we need better reasons for accepting such a view than simply revealing that there is no contradiction involved in it.[11] We need better reasons because this view contains two elements that are in tension with one another. Furthermore, until such reasons are provided we can reject the view since, because of the tension in it, the burden of proof lies with its defenders. Now, since Scheffler does not provide these reasons, and since it is hard to imagine what they could be, it seems that if it is problematic to prohibit impersonally optimal harm-doing – as we have said it is according to the cost-based position – it is also problematic to prohibit impersonally suboptimal harm-doing. Though one could, of course, simply base a prohibition of suboptimal harm-doing on its intuitive attractiveness. However, to do so would be indefensible because it would be completely ad hoc. I tentatively conclude that the cost-based position cannot reply to the criticism that it may allow doing harm to people when it is impersonally suboptimal to do harm to them by embracing a prohibition on suboptimal harming. If this conclusion is wrong, it is probably so much the better for the cost-based position, but presently we have no grounds for thinking that it is wrong.

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[9] Here again, doing impersonally suboptimal harm could be absolutely or non-absolutely forbidden (see note 3 above).

[10] In Scheffler's own words:

> [I]t is sufficient for my purposes if [I have established] that there *could* be […] considerations [which support a no-harm version of the prerogative without also supporting agent-centered restrictions.] For that […] conclusion suffices to rebut arguments which deny the possibility of such considerations, and which seek thereby to challenge the modified hybrid view's status as a consistent theoretical option (Scheffler 1992, p. 187, emphasis in original).

Some clarification regarding Scheffler's terminology is needed: a no-harm prerogative is a prerogative which forbids impersonally suboptimal harm-doing; agent-centred restrictions are prohibitions of certain acts that are impersonally optimal, such as impersonally optimal harm-doing. The modified hybrid view is a view that incorporates the former of these features but not the latter.

[11] Das (2000), p. 362ff.

Turning to the third reply: even if the cost-based position sometimes allows doing horrible things to other people when doing such things is not impersonally optimal, it is not a strong objection to this position that it does this. For (a) this position might allow impersonally suboptimal harm-doing only in very extreme cases, and (b) perhaps more importantly, in those cases where it might permit impersonally suboptimal harm-doing, we can come to accept these possible permissions.

Ad (a). If doing horrible things might be permitted only if it is the impersonally least suboptimal way of avoiding great personal evils, it might be permitted only in very extreme situations. This cannot be emphasized enough so as to avoid the impression that the cost-based position routinely advocates harm-doing.[12] To take an example: suppose that I suffer a great evil if I do not have minimally decent housing. Then this would also be true for someone exactly like me but who lives in poverty in Brazil.[13] On the condition that the impersonally least suboptimal way to be able to acquire such housing – and that this way did for my double avoid incurring great personal costs – were to rob his equally poor neighbour, the cost-based position that we are now considering would perhaps permit him to do so. However, note how restrictive these conditions are. For firstly, just how credible is it that no impersonally better ways to avoid living without decent housing can be found? Secondly, it is very doubtful whether you could, on balance, fight great personal evil by robbing a poor neighbour. Doing so could undermine your social relationships or result in punishment, and these are only some of the ways in

[12] Consequentialists make similar points about their theories. Cf. e.g.:

> It is usually said against consequentialism that it would lead an agent to do horrendous deeds, so long as they promised the best consequences. ... Once it is clear that the charge is relevant only in horrendous circumstances, it ceases to be clearly damaging ... (Pettit 1991, p. 234)

And:

> Of course, in your life, as in mine, there won't be many situations where, to aid some fine folks, you must impose serious losses on others; most likely, there'll be none. ... (Unger 1996, p. 14)

[13] Perhaps what would count as decent housing could vary between me and my Brazilian twin. Housing is presumably important as a precondition for having a real choice from a decent number of capacity-realizing projects (cf. section 6.1.2 below). It may vary across times and places *when* this precondition is to count as fulfilled, but I doubt whether it could vary very much.

which it can involve considerable personal evils. Thus the cost-based position will not permit impersonally suboptimal harm-doing very easily.

Ad (b). To be sure it may still be very counterintuitive that someone may perhaps rob a poor neighbour to ensure their own decent housing, even if they do fight great personal evil by doing so, and cannot ensure their own decent housing in any other way that is less bad. Yet this follows as a conclusion from a combination of three statements. Firstly, and most importantly, we cannot go as far as to rule out that someone may always avoid great costs to themselves. This was what we said in Chapter 2. What we argued is that we cannot, of course, say that it is simply always permitted to avoid great costs to yourself. However, nor can furthering the impersonal good, when it comes at great personal cost, ever be straightforwardly morally required. Taken together, these two considerations led us to say that one *might* be permitted to avoid great personal cost to oneself. We arrive at the counterintuitive conclusions regarding harm-doing if we add to this first statement two relatively uncontroversial statements, namely, the (second) statement that when avoiding great costs to yourself is permitted, you are always permitted to avoid them in the impersonally least suboptimal way that you can (and I would think that you are not permitted to avoid them in any other way); and thirdly, that sometimes the impersonally least suboptimal way of avoiding great costs to yourself is by doing harm to others.

The first of these three statements seems by far the most problematic. Must we reject this statement if it leads, combined with a few relatively uncontroversial statements, to the conclusion that we may perhaps do horrible things to others on some occasions? I cautiously tend to think not. For the possibility that the statement might lead to such results was quite clear from the outset. What the harm-doing criticism brings out is just what horrors are involved in failing to maximize the impersonal good.[14] However, these horrors were clear all along and were one of the main reasons for trepidation: it was because impersonal goods also call for promotion that we cannot go further than saying that it *cannot be ruled out* that we are permitted to avoid great costs to ourselves.

[14] Compare: considerations concerning impersonally optimizing harm-doing show what horrors can be involved in doing your utmost to promote the impersonal good. Does this speak against consequentialism or does it, rather, show how wretched a place the world is in many respects?

To this consideration, that the harm-doing criticism merely brings out more clearly what we knew all along, we should once again add the following: for all that has been said, doing horrible things may well be typically much worse than allowing them. If it is, the impersonally least suboptimal way to avoid great cost to yourself will *not easily* include doing horrible things.

The Forced Supererogation Criticism; and the Patient Criticism. However, the 'extreme statement', which says that you may perhaps always avoid great costs to yourself if you do so in the impersonally least suboptimal way that you can, has further counterintuitive implications: it countenances forced supererogation.[15] That is, it may permit me to impose on others a cost which they are not required to take on voluntarily.[16] For if I am allowed to avoid great cost to myself, then so are others who are relevantly similar to me. However, at the same time, I may impose great costs on others if this is, for example, the impersonally least suboptimal way of avoiding great cost to myself. So I am, in certain circumstances, permitted to impose burdens on someone that they are not required to impose on themselves through their own actions.

It is not that countenancing forced supererogation makes a moral theory inconsistent. Nevertheless, many authors have found a moral theory which allows for forced supererogation to be objectionable for the very reason that it does so.[17] In addition, it may be thought that morally allowing people to do unto others what these others are not required to take on voluntarily has very bad consequences for society in general.[18]

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[15] I take this paradoxical term from Mulgan (2001), p. 154–155.

[16] In what now follows I will sometimes for convenience say that I am 'permitted' to do certain things and not use the more exact formulation that I am 'perhaps permitted' to do them.

[17] See Murphy (2000), p. 151, n. 8. Murphy remarks that authors as different as Taurek (1977) and Unger (1996) share what he calls 'a constraint against imposing unrequired sacrifice'. Unger seems to think that consequentialism does not violate this constraint. I doubt whether that is correct. However, it violates it much less easily than the cost-based position.

[18] Larry Alexander (1987, p. 281–282) is one author who worries that conflicting permissions may lead to very bad consequences and even, in some cases, to what he calls social anarchy.

These criticisms concern what I may perhaps do unto others. However, we can now easily turn them around, into criticisms concerning what others may perhaps do unto me. If others may perhaps avoid great costs to themselves in the least suboptimal ways possible, then they may perhaps harm me in the pursuit of their personal goods, and they may perhaps force me to bear costs that I am not required to take on voluntarily. It would be better for me if others did not have, even only possibly, such permission to behave impersonally suboptimally – but always had to behave impersonally optimally, for example.

This criticism – which we may call the 'patient criticism' – can be read as insisting that moral agents are not only agents, but also patients, in the sense of being recipients of the actions of others.[19] The appropriate thing to do, some authors have said,[20] is to focus on both aspects, and not only on one. This means among other things that we should, in the vocabulary that we adopted in section 2.2.1 above, focus on demandingness and not on alienation, where the latter concerns what it involves for me if I behave in accordance with a certain moral theory, while demandingness concerns what it entails for me if everyone – or very many people – including me, behave in accordance with the theory.[21]

One might answer the patient criticism by claiming that if a moral agent is, on balance, disadvantaged by having permission not to do what is very costly to them, then the agent may enter into an agreement with other moral subjects which stipulates the waiving of the agent's permission if the other moral subjects in turn waive theirs, or the waiving of the agent's permission to some extent if the other moral subjects in turn waive their permission to some extent.[22] A moral agent would then only hang on to

[19] I will use the expression 'patient criticism' - rather than, for example, 'victim criticism' or 'recipient criticism' - because the word 'patient' (in the sense of 'someone who is acted upon') expresses particularly well that someone undergoes the actions of other agents.

[20] See e.g. Murphy (2000). Murphy says that he owes much to Thomas Pogge, his supervisor, for this focus.

[21] We will not consider situations where some but not all agents behave in accordance with a certain theory.

[22] Here, the contract is meant to serve the personal goods (the self-interest, we may say) of its participants. This Hobbesian-like contractualism is very different from the Kantian-like contractualism discussed in Chapter 3.

the permission in those situations and contexts where it would not on balance be disadvantageous to them.

However, there are problems with this suggestion. Firstly, it is not certain whether others want to enter into such an agreement. If they do not, then a moral agent may be stuck with a permission that is on balance to their disadvantage. Secondly, and connected to this, the more powerful one is, the less inclined one will presumably be to enter into an agreement to (partially) waive one's permission. For the more power one has, the more one can exercise one's permission even in the face of forceful opposition by others, and the more one can shield oneself against the disadvantageous effects of others acting on their permissions. This means that a moral theory that includes permission not to maximize the impersonal good is, at least when (almost) fully complied with, likely to be disadvantageous for the relatively powerless, compared with a moral theory that requires everyone to maximize the impersonal good.

Thus the proposed answer to the patient criticism does not work, at least not always and for everyone. Indeed, the answer points to a further problem for a theory that might permit one always to avoid great personal evils. Such a theory may, in comparison with unmodified consequentialism, well be to the disadvantage of the powerless.

Before offering an answer to the patient criticism and the forced supererogation criticism, it should be pointed out that these criticisms do not only

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So, as stated in the text, in a Hobbesian-like contract I typically agree that I am not always justified to avoid great costs to myself, and in turn you agree that you are not always justified to avoid great costs to yourself. However, one may wonder whether this may not come to undercut (although at a less fundamental level of moral theory) the idea that one must always do for great good for others at least when one can at little cost to oneself. For maybe the contract could stipulate the following: we agree that we are not always justified in avoiding great costs to ourselves, but that, in return, we need not always do what comes at little cost to ourselves. I do not think that any credible contract would stipulate this. For the idea behind the contract is that sometimes the best way to avoid great cost to yourself is by entering into an agreement that says that you will sometimes have to bear great costs. (Actually, the very best way to avoid great cost would be to enter into that agreement and to free-ride on it. However, we may exclude this possibility, assuming that people are only willing to participate in agreements that have adequate provisions against free-riding: for otherwise they are not going to benefit from these agreements.) If this is the idea behind the contract, I do not see how it can lead to a permission not to assume little cost to yourself.

point to possibly bad consequences, for others, for society, for the moral agent himself, and for the weak, of a moral theory that is subject to these criticisms, but also, it seems, to the oddity of such a theory. As regards the phenomenon of forced supererogation, it invites the remark that it is odd to declare that it is morally acceptable to force people to do something which they need not do voluntarily. A theory may also seem odd that incorporates deviations from consequentialism motivated by a concern for the cost to the agent, yet that may well make the agent end up worse off than would have been the case with unmodified consequentialism.

One could reply to the forced supererogation criticism and the patient criticism in at least two ways. Firstly, one could reply in much the same way as we did to the doing-harm criticism: that is, one could say that these criticisms most importantly show just how horrible it can be not to maximize the impersonal good. Therefore they underline how much trepidation one should feel in abstaining from maximizing the good. However, they teach us hardly anything that was not very near the surface all along. To concentrate on the 'extreme statement', there was never any doubt that its potential permission not to maximize the impersonal good could have bad results for others, for society as a whole, and particularly for the weak.[23] It was just about as clear that such potential permissions not to maximize the impersonal good could come back to haunt the agent who has these permissions. Yet, in the face of all this, it remains plausible that humans are faced with two fundamentally different kinds of goods, and that when these goods pull in different directions it is very hard indeed to decide between them. The criticisms that we have considered in the present section only reinforce our apprehension about allowing moral agents, even if only potentially, not to maximize the impersonal good. In other words, they reinforce the idea that moral agents cannot simply be permitted always to avoid giving up great personal goods. However, they do not teach us new things that may bring us closer to embracing the idea that furthering the impersonal good, when it comes at great personal cost, can

[23] Cf. Mulgan (2001) about Scheffler's theory:

> The [objections I have] discussed ... certainly do demonstrate that [Scheffler's view] leads to a number of very odd results. However, Scheffler himself acknowledges this. Indeed, his original discussion prefigures most of the consequences brought out by these [objections] ... Overall, does [Scheffler's view] fare worse than [unmodified consequentialism] with respect to intuitive appeal? Not necessarily ... (p. 161)

still sometimes be morally required, simply and plainly. The fundamental duality of the world with which human beings are faced is not going to go away, nor is it even going to reach a state of more peaceful coexistence, if we realize the nasty sides – for others, the society at large, the weak, and also for the agents who have the permissions themselves – of furthering personal goods at the expense of impersonal goods.

To this first reply one could add that this fundamental duality also does not go away as soon as we point to some purported oddities implied by the cost-based position. Furthermore, it may be questioned whether these alleged oddities are really so odd. Let us briefly indicate why they may not be odd. Given the fact that myself and someone else and have different standpoints – different worlds before our eyes – why could someone else, on certain occasions, not be morally permitted to take from me what I am not required to give up voluntarily, and what I may resist giving up? In a similar vein, I could have permission to further personal goods even when such permission would leave me worse off than, say, unmodified consequentialism, which does not grant such permission. I, and beings like me, may have such permission because personal goods are there and they are real, and someone who judges my behaviour towards others from the outside must take into account their presence. To be adequate a theory must, when it makes demands regarding what I should do, take into account the world that I have before me. If it does this, the theory may, compared with alternatives, be disadvantageous rather than advantageous to me. This is an unpleasant side of the theory, but it does not make it inadequate.

The second reply grants more of the objections. It agrees that someone who judges from the outside what I should do for others must take into account, when deciding what I must do, that I am not only an agent but also a 'patient' of the actions of other agents.[24] What story could be told about my role as a patient? Let me suggest one story that seems plausible. As a patient I also have two worlds before me: I see that what I suffer at the hands of others is as great as what someone else who is relevantly similar to me suffers, for example, my Brazilian twin; *and* I see that it is greater for me. However, I also see that for the other person at whose hands I suffer I am only one patient of their actions. There is nothing I can

[24] For the word 'patient', see footnote 19 above.

appeal to when asking that other person, whose 'patient' I am, to treat me differently from someone who is relevantly similar to me. What I will insist on – if we assume the picture of the world where there are two kinds of goods only that call for promotion only – is that the evils that befall *me* are impersonally as important as anyone else's.[25] So, someone considering the world as it is before me as a patient may well be driven to put much more emphasis on impersonal goods than on personal goods – indeed, they may be driven to put an exclusive emphasis on impersonal goods. Again, they are driven to this when looking through my eyes as a potential patient of someone else's actions as an agent. However, this other agent can also be someone who is relevantly similar to me. If so, taking the patient's perspective into account will have an influence on what I must and may do as an agent. It will have the effect of reinforcing the moral role of the claims for promotion made by impersonal goods, compared with the claims for promotion made by personal goods.

According to the above story, as patients we are driven to a conesquentialist morality – to a morality that says that we must always act so as to further impersonal goods as best we can. From the agent's perspective, by contrast, we are driven to a mixed morality, in which the claims for the promotion of impersonal goods, as well as the claims for the promotion of personal goods, play a role. Surely, if anything like this story is correct, the extreme statement will seem even more extreme. For, personal goods have no moral weight from the patient's point of view and only limited moral weight from the agent's point of view. Yet we must be careful with this talk of 'weight', which suggests arithmetical exercises of adding things up. Such talk involves a figure of speech,[26] but despite this, the fact is that the standpoint of the agent remains fundamental for us, and from this standpoint we live in a split world. This situation may by itself offer sufficient support for holding that when we can do great impersonal good,

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[25] Cf. for a thought that is in some respects similar:

> When [people] are wronged, [they] suddenly understand objective reasons, for they require such concepts to express their resentment. (Nagel 1970, p. 145)

I would adapt this statement as follows: when people are in a position where they might suffer at the hands of other people, they surely understand that impersonal goods also call for promotion, for they need to appeal to this to demand a certain kind of treatment at the hands of these others.

[26] Cf. Scheffler (1982), p. 63.

but only at the price of great personal evil, or vice versa, we can never definitely say what we must or may do.

Yet the idea of the Hobbesian contract bears repeating: even if one should accept that, at a fundamental level, an agent may avoid certain personal evils even when it is not impersonally optimal to do so, it will very often be the case that the best way to avoid these personal evils is to enter into – at a less fundamental level – a contract with others. This contract will typically stipulate that one must on certain occasions actively incur great costs to oneself, and in exchange it will offer protection from suffering certain great costs at the hands of others. Such a deal frequently serves our personal goods.

The Government Criticism. The cost-based position that we have proposed may have a problem when it comes to the issue of governance. For we may well think that, according to this position, the government should care for everyone equally, and that this means that it should act in a consequentialist way.[27] However, then it may seem that the government must try to counter every deviation from consequentialism made by individual agents, even if they are permitted to make these. Larry Alexander makes such a point in reaction to Scheffler's theory:

> The government ... must always act as a thoroughgoing consequentialist, giving only impartial consideration to individuals' weightings of their own projects... The state would be obligated to attempt to prevent all non-consequentialist-justified exercises of the agent-centered prerogative ...[28]

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[27] There are, to be sure, other possibilities. A government might, for instance, be permitted always to avoid great costs to its own people – but then, the problem discussed in the text would remain. Or, on an altogether different model (which I would not subscribe to), the government would be the outflow of a Hobbesian-like contract between citizens.

[28] Alexander (1987), p. 282–283. Alexander goes on to say that the state may even have to '[deny] the existence of such a prerogative and [inculcate] a purely consequentialist morality.' (ibid., p. 283) This remark points to a more general problem applicable to the cost-based position: if I must do what has the impersonally best results, except (possibly) when doing so comes at great cost to myself, I may be obliged to deceive others about what they have to do. What could one answer to this objection? Firstly, I would not be obliged to lie to others about what they morally ought to do if it would mean great personal evil to me to do so. On the theory of the good that we will propose in section 6.1.2 below (which focuses on real freedom to develop and exercise one's key capacities) it is not far-

In fact, Scheffler himself has addressed a very similar problem and provided a reply. He says that even if it should be correct that governments must always promote the impersonal good as best they can, this does not imply that they would be required continuously to coerce moral agents into doing what is impersonally best. For coercion comes with great impersonal evils, and these have as a consequence that it is often not best to coerce people to do something, even if it would be impersonally optimal for them to do it voluntarily.[29] Scheffler's point would remain if we replaced talk of coercion with talk of 'trying to prevent all non-consequentialistically justified pursuits'. In other words, trying to prevent someone from doing certain things often involves great impersonal evils, so that it is not always for the impersonal best to try this, even if it would be impersonally best if someone abstained voluntarily from doing those things.

4.1.2 Taking Past Deeds into Account

One may wonder whether the cost-based position that we are investigating in the present chapter can be responsibility-sensitive. It might be a serious objection to it if it cannot, as will become clearer shortly. A moral view is

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fetched to hold that doing this does mean great personal evils: it could, for instance, greatly damage my real freedom to exercise my social capacities.

Secondly, I would not even be *allowed* to lie to them about this if doing so were impersonally suboptimal and did not avert great personal evils for me. Thirdly, a position that holds that I must not tell people the truth about what they ought to do need not for that reason be unacceptable. In any case, many consequentialists hold that people must not be told the truth about what they ought to do. It is true that there are fierce debates about whether this makes consequentialism unacceptable. However, I will not enter into this here but confine myself to the following observation: consequentialism and the cost-based position can acknowledge, in a way that is not ad hoc, that it is a bad thing for people not to know the truth about what they morally ought to do. At least, these positions can acknowledge this if we work with the theory of the good to be proposed in section 6.1.2 below; for it surely damages people's freedom to exercise their cognitive capacities not to know this. If the positions mentioned can recognize this, I am not so sure that it is clearly damaging for them if they hold that people should, all things considered, often not be told the truth about what they morally ought to do.

[29] Scheffler (1982), p. 38.

responsibility-sensitive, we will say, if it adjusts people's moral duties and entitlements depending on their past behaviour. More precisely, it is responsibility-sensitive if it holds that under the condition that A has behaved more responsibly than B, A should subsequently do less than B, and[30] A should receive more than B, *all else being equal*.

It is mainly in recent political philosophy that many authors have stressed the importance of holding people responsible. David Miller, for example, says:

> ... [H]uman beings are choosing agents who must take responsibility for their own lives. This means that they should be allowed to enjoy the benefits of success, but it also means that they must bear the costs of failure.[31]

Remarks such as this are mostly at home in theories of justice primarily concerned with institutions. They claim that what constitutes a just distribution does not, or at least does not only, depend on how well people do under it, but also on people's past choices. Yet this claim has – although the present study deals with individual morality – clear similarities with the idea of responsibility-sensitivity that is relevant for us: what someone should do morally for others or receive from others, should not only depend on the goods that are before this person, but also on their past behaviour.[32]

If we put the matter this way, it is immediately clear that the cost-based position is not yet responsibility-sensitive, and that it may be hard to make

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[30] Below, I will stick to this 'and'. However, it might be that in some cases, for a moral view to be called responsibility-sensitive, it will do if some individual A has to do less *or* to receive more under the mentioned condition. However, I will not explore this possibility.

[31] Miller (2004), p. 123. Other influential thinkers (many of them liberals) make similar remarks. Ronald Dworkin, for example, says:

> In principle […] individuals should be relieved of consequential responsibility for those unfortunate features of their situation that are brute bad luck, but not from those that should be seen as flowing from their own choices. (Dworkin 2000, p. 287; cf. Dworkin 1981.)

[32] Thus a responsibility-sensitive theory will be much more acceptable than a theory that is not responsibility-sensitive to those who think that the rich have more duties towards the poor because the rich have misbehaved in the past. (Incidentally, a responsibility-sensitive theory does not have to assume that there is an intrinsic moral difference between doing something and allowing something.)

it so. The guiding idea of the position is that we have before us a world with two very different kinds of goods, both of which call for promotion. However, this idea, which is all about promotion, is exclusively forward-looking. To add to it the idea that moral duties and entitlements should be adjusted according to past behaviour would be a very ad hoc solution. Doing this would bring in a new idea that is at the very least not well connected with the old guiding idea of the cost-based position, and which even seems to be in considerable tension with it. It is not at all clear how the forward-looking logic that is at the basis of the cost-based position could fit with the backward-looking logic which considers that my past deeds must now co-determine what I should do and receive.

It is worth remarking that many authors whose views have the same problems as the cost-based position, for example consequentialist authors, simply do not address the issue, but instead resort to measures such as talking about innocent children.[33]

The first not totally ad hoc way of showing that the cost-based position can or will be responsibility-sensitive does not propose to add an extra fundamental intuition or principle. Instead, it suggests that the cost-based position as it stands will, at a less fundamental level, lead to responsibility-sensitivity. The suggestion is that this happens in a manner that resembles the justification of punishment that is common with many consequentialists. This justification of punishment is more or less as follows:[34]

(1) According to consequentialism, I must act so as to bring about the best results.
(2) The best results will be brought about if I punish myself if I do not bring about the best results, and if I punish others if they do not bring about the best results.

[33] For the innocent children see, for example, Unger (1996) and Singer (1997). In Scheffler (1982) and Kagan (1989) the problem is conspicuously absent. By contrast, Murphy (2000) does address the problem quite explicitly (p. 112ff.), but his solution strikes me as unacceptable. Murphy actually gives past noncompliance very little role in the determination of present duties: generally, he holds that the distribution of duties concerning beneficence should in full compliance situations simply be such as to arrive at the best results. Mulgan (2001) may have resources to address the problem, but at the cost of embracing a position that is very close to contractualism.

[34] Cf. e.g., Cottingham (1992). Cottingham focuses particularly on the reduction of crime as a good consequence of punishment. But consequentialists will have to look more broadly than this.

(3) According to consequentialism, I must punish myself if I do not bring about the best results, and I must punish others if they do not bring about the best results.

The analogue of this justification of punishment that is relevant here would be something like:

(4) According to the cost-based position, I must act so that I bring about the best results, except where doing so comes at great cost to me.[35] Let us call this way of acting 'way X'.
(5) I will achieve the best results that I can without incurring great costs, if I assume that, all else being equal, I have to do more and receive less if I do not act in way X, and similarly that others ought to do more and receive less if they do not act in way X.
(6) According to the cost-based position, I must assume that, all else being equal, I have to do more and receive less if I do not act in way X, and similarly that others ought to do more and receive less if they do not act in way X.

Put in others words, statement (6) asserts that according to the cost-based position, moral agents should assume that moral requirements on them and others, as well as entitlements, are responsibility-sensitive, all else being equal.

However, statement (5), which is necessary to arrive at (6), seems dubious. Even with the consequentialist justification of punishment, it is dubious whether punishing wrongdoers (that is, for example, those who have not so acted as to produce the best results) will bring about the best results rather than not punishing them, or, for example, punishing others instead. Also, what statement 5 asserts is considerably murkier still, and without elaborate argument and investigation there is no reason to believe it. As a result, the proposed way to make the cost-based position responsibility-sensitive cannot be shown to work, and this is so even apart from other problems that one may have with it, such as it making this position only very contingently responsibility-sensitive.

A second way of explaining how the cost-based position could be responsibility-sensitive also refrains from adding an extra fundamental principle. It maintains, instead, that to be held responsible is a good, and not to be held responsible is an evil. This good and this evil should be

[35] Actually, as we have stressed numerous times, what we must say is: I must act so as to bring about the best results, except *perhaps* where doing so comes at great cost to me. However, in this section, I will for convenience often use the more categorical formulation.

taken into account when we assess what we ought to do, that is, on the cost-based position, when we assess what will produce the best results possible while avoiding great cost to ourselves.

However, being held responsible seems to be an unclear good at best, because if being held responsible gains you something, it also and by definition makes you lose something. It is unclear, then, whether the gain is not immediately cancelled.

Moreover, even if being held responsible were a good, it is very unclear how we should proceed in order to take into account this good. Perhaps we might 'calculate' what would, without this good, be the right course of action for a moral agent to take, and then say: 'Wait, we forgot that this course of action has an extra cost for the agent?' and, 'Wait, we also forgot that other courses of action have an added advantage?' Perhaps this two-step procedure might work, but it is unclear whether it would work, and whether it is at all consistent. What makes it complex and possibly confused is that it introduces meta-goods, that is, goods that draw, in a second step, on other goods. Paired with the doubt about whether it is really a good to be held responsible, this seems sufficient ground to reject this second proposal for showing that the cost-based position can be responsibility-sensitive.

This brings me to a third and last suggestion, and one which I would like cautiously to defend. It says that the basic inspiration of the cost-based position, namely that morality is about promoting goods, or, in other words, fighting evils, does not come into play so much if someone has behaved irresponsibly. In other words, it may be doubted whether there are moral considerations in favour of fighting evils that befall Hitler, Stalin or Pol Pot. The idea would be something like this: although it is probable that these evils are really evils, and that they call for being fought, their call is immediately lessened – or even undercut altogether – by the fact that the subjects whom these evils befall are so depraved.[36]

Yet it may be objected that it is very ad hoc to say that the evils that befall Pol Pot (to take one example) do not in the end count, or not in any case count very much, for if these evils call for being fought, their call is

[36] For the idea that one moral consideration can 'undermine' another (this is a particular form of interaction of two moral considerations), and for an illustration of this idea that is very close our third suggestion, see Kagan (1988), p. 20.

immediately cancelled, at any rate to some extent. Does this way of seeing things not presuppose what it wants to prove, and is it not tailor-made to deliver the conclusion that Pol Pot should be – or have been – brought to justice? To reply, it should be admitted that this third proposal has a high degree of cyclicity or circularity, and is therefore not totally satisfactory. However, it is not totally tautological, and is somewhat satisfactory. It is not totally tautological, because it turns back to the basic inspiration of the cost-based position, which is that evils generate moral considerations in favour of fighting them. Put in other words, this basic inspiration suggests that evils make a difference. However, do evils that happen to someone who does not consider evils to make a difference, make a difference? I doubt it. The basic inspiration of the cost-based position is, on reflection, not that the 'devil's burns' make a difference, nor that self-inflicted wounds call out for healing. Rather, it considers that we should care about the suffering of reasonably responsible people; people who have behaved reasonably responsibly. It seems much in the spirit of this basic inspiration to say that the call sent out by evils which happen to very base people should immediately be cancelled to some extent.

Suppose that this third proposal is sound, and thus that the cost-based position can be modified in a non ad hoc way so as to make principled room for responsibility-sensitivity. Then there is still the problem of whether (and if so how) this principled proposal can be given an acceptable, somewhat more detailed, translation.[37]

One kind of case where it should be given an acceptable translation is the following: one poor person has behaved very responsibly while another has in the past squandered the help given to them. Now both equally require medical care. Whom should we help, other things being equal, according to the now responsibility-sensitive cost-based position,

[37] A more formal and more complete translation than I will strive for here, should at least deliver the following judgments:

1. Someone who has behaved reasonably well should not, other things being equal, have to do more, nor should they receive less than the initial cost-based view stipulates.

2. Someone who has behaved very badly should, other things being equal, have to do much more, as well as get much less than the initial cost-based view stipulates.

3. The other-things-being-equal differences between what two persons, A and B, should do and receive, should neither be overly sensitive nor too little sensitive to the differences in the degree to which they have behaved responsibly.

and whom should we help first? I think that the responsibility-sensitive cost-based position could hold that the impersonal evils that befall someone who has behaved *very* irresponsibly should count for *much* less, to such a degree that not so much impersonal good can be done by helping them. By contrast, a lot of impersonal good is done by helping the person who has behaved quite responsibly. In other words, according to this concretization there will be a strong case for giving priority to the person who has behaved responsibly, and even more: the case for helping the one who has behaved irresponsibly will be rather weak.

A second kind of case (to be sure not totally different from the first) is a case where I myself have behaved quite irresponsibly. In this case, the responsibility-sensitive cost-based position could be specified as follows: to the extent that I have behaved very irresponsibly in the past, someone who judges my deeds from the outside (this was the model of morality that we proposed in Chapter 1) will now give the fact that I also have personal goods before me, not only impersonal ones, much less weight in judging what I should do for others. Also, it will count much less as an impersonally good thing if my interests are furthered. It is clear, then, that I both ought to give a whole lot more and ought to receive a lot less, compared with someone who has behaved reasonably responsibly.

4.2 Criticisms concerning Special Relationships

4.2.1 On Friends

Any plausible specification of the cost-based position will count friendships as personal goods. Indeed, they may well be among the main personal goods.[38] Still, one may worry that it is not possible to have friendships at all if the cost-based position is right. For it may be doubted whether someone can have friendships at all if (1) they are always per-

[38] What I say here about friendships is applicable, I will assume, to kin relationships as well. In much of the literature that is central to this study, friendship and kin relationships figure, more or less explicitly, and along with (or as a central example of) 'projects', as one main good that constitutes a good life (see e.g., Rawls 1971, Williams 1981, Scheffler 1982, Kagan 1989, Nagel 1991, Unger 1996, Cullity 2004). Cf. section 6.1.2 below.

mitted to do what is impersonally best, and if (2) they might be allowed always to avoid great costs to themselves.[39]

If the cost-based position should by definition not allow for friendships, this would constitute a reductio ad absurdum of this position. For the guiding idea of the cost-based position is that we should take into account that people have two fundamentally different kinds of goods before them, impersonal and personal goods. However, if it should turn out that, after all, this position by definition cannot do justice to one of the most important personal goods, this surely condemns it as inadequate by its own standards. Let us examine the two reasons just indicated for why the cost-based position may be by definition incompatible with having friendships.[40]

Ad (1). Samuel Scheffler writes:

> ... to value [a] relationship [to a friend] *is*, in part, to see myself as having special responsibilities, so that if, here and now, I have reason to value our relationship, then what I have reason to do, here and now, is to see myself as having such responsibilities.[41]

This might be read as follows: I cannot have a friendship unless I accept that I have, on some occasions, a duty to do things for my friend the doing of which would be impersonally suboptimal. Let us concentrate on this reading, whether or not it is the one that Scheffler has in mind. If what this

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[39] George Harris (1989) criticizes the corresponding elements in Scheffler's view – that one may always do what is impersonally best and that we have an agent-centred prerogative to give precedence to our own interests to some extent – and what they imply for how we may treat others with whom we have entered into special relationships (with whom we have engaged in personal relationships or cooperative projects, or to whom we have made promises etc.). However, my focus here is different from Harris's, not only in that I focus specifically on friendships, but also because I am not so much concerned, in this section, with how one may on the cost-based position treat others, but with whether one can, on this position, have friendships at all.

[40] Here we will not address some concerns about friendship that were already discussed in section 3.1.2 above: that the cost-based position, being teleological, cannot deal with friendships in a phenomenologically adequate way; and that it is inappropriate to focus only on *promoting* friendships, as personal and impersonal goods.

[41] Scheffler (2001), p. 104, emphasis in original. I leave open, as Scheffler himself does, to what extent these views of the later Scheffler constitute a change in the positions that he held earlier.

reading says is right, then I cannot simultaneously have a friendship and accept, as the cost-based position holds, that I may always do what is impersonally best. So I can by definition not have friendships if I accept this position.

There are at least two possible replies to this objection. The first is that it is not part of a friendship to commit oneself to sometimes behaving impersonally suboptimally. This reply might go as follows: there are a number of things that are clearly involved in having or maintaining a friendship. It is clear that having or maintaining a friendship implies doing certain things for one's friend and having and showing certain feelings towards them. For example, one cannot maintain a friendship if one does not spend time with one's friend, as well as have and show certain feelings towards them. However, other things are less clearly involved in having or maintaining a friendship. It is, among other things, less clear what kinds of dispositions (if any) I must have in order to have or maintain a friendship. Must I be prepared to save my friend rather than two strangers if it should happen that they are drowning? Must I be prepared to do this no matter what the impersonal consequences of doing so may be, or, for example, only if saving my friend is impersonally better than saving the strangers – as might sometimes be the case?[42] Or can I be unwilling to do this, and still remain a friend, until the day when our friendship clearly ends because I fail to perform a certain action (such as helping in certain circumstances)?

As these remarks already indicate there is quite a lot of uncertainty about what dispositions are exactly and what kind of dispositions are required or prohibitive for my having a friendship. We may add that there is also a lot of uncertainty about the question whether the cost-based position can or cannot allow for certain dispositions. For example, if one has a disposition to help one's friend rather than two strangers, at least in normal circumstances, then one may simply have a disposition to do what is impersonally best. Because of all these uncertainties, it is doubtful

[42] And, what does it mean to be 'prepared' to save my friend? Does it mean that I now say, on reflection, that I have duty to save a friend under such and such circumstances, and am I no longer a friend if I do not say this? Or should I, on the contrary, not say such things and be very conscious of them, since such consciousness is itself incompatible with friendship? Or does it not matter what I say and am conscious of at all? (For different views about whether *deliberating* in terms of impartial moral considerations is incompatible with having a friendship, cf. Williams 1981 and Railton 1984.)

whether the cost-based position can be condemned on the basis of reasons such as how it treats dispositions that one should have in order to have a friendship. It may be better to focus on the acts and feelings shown that are certainly needed to have a friendship. Now, doing such acts (such as helping one's friend) and having and showing such feelings (such as friendliness) is, on the cost-based position, not by definition ruled out, but on the contrary often allowed and not seldom required. So it seems that acting in accordance with such a view and having a friendship are not incompatible.

The second reply to the objection that I cannot have a friendship unless I am sometimes forbidden to do what is impersonally best, is to admit that this objection is right. However, one may add that what this shows is not that the cost-based position is wrong, but that permissions to pursue one's own good, at least if these are permissions to form or maintain a friendship, give rise, after I have availed myself of them, to duties at a less fundamental level that sometimes require that I abstain from doing what is impersonally best. So we should distinguish different levels here.[43]

Ad (2). Here we come to the second objection. This objection was that by definition one cannot have a friendship if one might be allowed always to avoid great costs to oneself. Here again, the same two replies are applicable. Firstly, one could say that having a friendship is compatible with one's possibly having permission always to avoid great costs to oneself. However, this reply is not very convincing: it seems very plausible that one can only have a friendship if, on certain occasions, one is certainly prepared to bear great costs. So we are taken straight to the second reply: if one is possibly permitted to avoid great costs to oneself, then this permission, at least where it is permission to form or maintain a friendship,

[43] Distinguishing different levels does not undermine the cost-based view as long as this view remains the right one to take at the fundamental level. At least, this is how consequentialists too often think about their theory. According to them, often the right things to do are not those that directly produce the best consequences, but do so indirectly and ultimately (e.g. if one considers many actions taken together), and this is what makes it right to do these things. One can tell a similar story with regard to the position which states that one must always do the best one can except when not doing so is necessary to avoid great costs to oneself. If one can only avoid incurring great costs by sometimes being forbidden to do the impersonally best, then this is what is involved, at a more concrete level, in going for the best results that one can achieve while avoiding great cost to oneself.

can subsequently give rise, at a less fundamental level, to duties that require that I sometimes incur great costs.

Finally, it should be noted that even if one embraces the position that holds that a person may always form and maintain a number of deep friendships – and we have argued above that such permission is more categorical than is justified – what such permission entails is quite limited. For what would it mean, more concretely, to claim that we may form and need not abandon deep friendships? This must mean that we may spend time with our friends, pay attention to them, and exchange gifts of friendship. For these things are necessary to maintain friendships. However, there are many things that are not similarly necessary. For example, it does not generally seem necessary to spend a lot of money on our friends, though there may be exceptions. The most obvious one might be a case much like that of friendship, the case of partner relationships. Sometimes, such relationships might come under considerable pressure if one does not spend a considerable amount of money on one's partner. Although one should not avail oneself of this argument all too easily, sometimes it does seem an appropriate argument to justify spending money on him or her.

4.2.2 The Treatment of Those Nearby

There are some concerns about how we should (or may), on the cost-based position, treat those who are in need nearby, and about the senses in which and the degrees to which we should (or may) give them priority.

One apparent worry about the cost-based position has to do with the moral relevance of proximity or distance *by itself*.[44] Proximity is by itself morally relevant if there is a stronger case, morally speaking, to help, for example, a famine victim who is one mile away than to help another famine victim who is a thousand miles away, if one assumes that one can help both equally well, and all else is also equal – the only difference being the distance. Now the cost-based position may seem to imply that

[44] I will use the terms 'proximity' (or 'nearness') and 'distance' indiscriminately. The points made about them seem also to apply to directness and indirectness, in the sense of face-to-face contact or the absence thereof. Instead of the expression 'pro-tanto morally relevant' (which Kagan 1989, among others, uses) I will here retain 'by itself morally relevant' or 'morally relevant as such'.

distance by itself does not matter morally, and it may seem unwarranted to hold this view. The reason for thinking that the cost-based position implies this is that views that are concerned with furthering goods and fighting evils (and the cost-based position is such a view) often have a tendency to see distance per se as morally irrelevant: for it is not clear why someone's starving at my doorstep should be a greater evil than someone starving a thousand miles away, *if all else is equal*.[45] Yet many people would feel very uneasy about positions that deny the moral relevance of distance by itself, and they think that such denial is unwarranted, even if they cannot say why.

I will argue, however, that the concern just addressed fails on two counts: (a) the position that proximity does not by itself matter morally, is defensible, and (b) even if were not defensible, there may be no problem for the cost-based position: for then it may well be able to agree that distance is by itself morally relevant.

Ad (a). The position that distance as such does not matter morally is defensible.[46] For we cannot in general consider a factor to be by itself morally relevant until it is shown not to be. On the contrary: those who think that a certain factor (such as proximity) is morally relevant as such must explain why it is relevant, or rather: they must either explain why the factor is relevant, or they must argue that no such explanation is needed.[47] I take these two lines of defence in reverse order.

The second line of defence is arguably taken by, for example, Frances Kamm.[48] Her approach is to compare different pairs of – often highly hypothetical – cases which have been equalized in every respect, except

[45] One can find the idea that distance is by itself morally irrelevant very explicitly in, for example, Unger (1996), and it seems more implicitly present in for example Kagan (1989, see p. 1ff.).

[46] However, one quick road to its defensibility is not available, namely, that no one has said that distance as such matters morally, as Singer (2004, p. 11) seems to think (cf. also Kelly 2004, p. 178, who quotes Singer). For there are people (such as Frances Kamm) who have argued that distance or certain kinds of distance do make a moral difference as such. We will come to this in a moment.

[47] Arguing that no explanation is needed for the moral relevance of a particular factor as such, is not the same as holding that *any* factor is, as such, morally relevant until it is shown not to be.

[48] See Kamm (2000, 2004). For her methodology, see also Kamm (1996).

with regard to nearness, and to see whether we still judge them differently morally. For example, do we still feel there is a moral difference between not helping someone who is starving one mile away and not helping someone who is starving a thousand miles away, if all else is equal? Kamm draws heavily on often very questionable intuitions about such cases. What Kamm might convince us of is at most *that* nearness has by itself moral relevance, or *that* certain *kinds* of nearness have moral relevance as such; but she offers no answer to the Why question. Probably, she would think that her approach makes any such answer superfluous.

However, if one finds oneself unable – like I do – to embrace the moral relevance of distance as such without argument, one will insist that the first line of argument should be taken to defend the claim that distance per se matters morally. In other words, an explanation should be given of *why* it matters. The problem with this line of defence is that there are, for all I know, no convincing explanations of why nearness would, by itself, make a moral difference.[49] To be sure, there are many things that often or almost always go together with nearness and that probably do by themselves make a moral difference. For example, one can often help someone who is near effectively, but not someone who is distant, and sometimes I am the only person who can help someone who is nearby. The cost-based position will acknowledge such considerations. However, they say nothing in favour of the moral relevance of distance as such.

Ad (b). Just suppose, however, that someone came up with an acceptable explanation of why distance by itself has moral relevance. In this case, it would not seem a priori clear that the cost-based position is unable to accept its relevance and take it into account adequately. For example, if someone should convincingly explain why it is a greater evil that someone a mile away is starving as opposed to someone a thousand miles away, all else being equal, then the cost-based position would take this result into

[49] However, it may seem that Bernard Williams maintains that distance per se matters morally, for reasons of reliability:

> Considerations that are given deliberative priority in order to secure reliability constitute obligations ... [one] sort involves the obligations of immediacy. Here, a high deliberative priority is imposed by an emergency, such as [a] rescue case ....' (Williams 1985, p. 185–186)

Yet it is doubtful that Williams, when talking about reliability, is addressing the moral relevance of distance per se.

account. So it is only in the absence of such a convincing explanation that we assume that distance per se does not matter.[50]

Let us consider a second concern about how the cost-based position says we may or must treat those nearby, and about the degree to which we may or must give them priority. This second concern is that a moral position should tell us that we must, in daily situations, give those nearby a certain kind of treatment, and certain kinds of priority. Examples are ready to hand: we cannot be allowed to let children drown in the pond, or to care for a starving person overseas rather than for a person starving in our own house. Now there is a worry about the cost-based position here: must I not, on this position, rather than ruin my suit to save a drowning child, send the money which a substitute suit would cost overseas, where it would save ten children?

The most important answer to this concern is that most of the time the cost-based position would not tell us to let children drown in the pond. It would probably not even tell us to do this if the choice that we have is the strict one that we can either save a drowning toddler or send the money that a substitute suit would cost overseas. For most of the time this is not the impersonally least suboptimal way of acting that avoids great costs to ourselves, nor the impersonally optimal way of acting. For the death of the child is quite certain if we do not help. By contrast, the death of people overseas is less certain.[51]

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[50] Perhaps an acceptable explanation of why distance per se matters morally could be constructed by arguing from the suggestion that it is an important fact about people that their lives are always spatially located. For this suggestion, which has some similarities with Williams's thought, I am indebted to Paul van Tongeren. If this suggestion could be developed (I am not sure whether it could be), it might be able to provide an explanation of the moral relevance of distance per se.

[51] It may be certain enough to make giving sensible and indeed obligatory if nothing else of great value is at stake; but if giving would result in a certain great evil, we may arrive at different conclusions. A proponent of the cost-based position would probably agree that it is often impersonally the best to attend to whatever needs one finds with persons that one encounters. Correspondingly, at least in so far as the defender of the cost-based position would say that we must do the impersonally best, they would in many ways (but not in every way) agree with the conclusions reached by Richard Miller (2004, p. 116) via contractualist reasoning: that one should attend particularly to those nearby because we have a 'relationship of encounter' with them, and because this may be the best way to coordinate aid.

Yet worries persist. For suppose that it is fairly certain that sending the money overseas will do more to fight evils than rescuing the child, then it seems, indeed, that the cost-based position tells you that you must not rescue the child. Although this, it could be argued, was the correct position to take in such a presumably rare situation, it still remains hard to swallow.

The cost-based position may be able to avoid this conclusion, but it is not so clear how – one suggestion is: by appealing to indirect ways to avoid great cost to oneself.[52] In any case, it seems worth pointing out that the same problem torments other positions as well, such as that held by Peter Singer. The famous case of the drowning child leads Singer to conclude that we have extensive duties to help starving children overseas. Yet a utilitarian would not be free to say that we may save a drowning child if at the same cost (namely of a spoiled suit) we can save ten children overseas. It will not do to say that we can do both. For we are in many cases not permitted to do both: in many cases where contributing to overseas aid does more good than rescuing a drowning child at the cost of ruining a suit, this will be so for every rescue you perform, and so you are not allowed to perform any rescue.[53]

4.2.3 A Note on Nationality

As we have already remarked in Chapter 1, it lies beyond the scope of our study to discuss the question of in what sense, if at all, priority for compatriots can be justified when it comes to helping the poor. Yet it remains, of course, an important question whether the duties as specified by the cost-based position do not in the end limit themselves to compatriots, or are much stronger with regard to compatriots. Therefore we end with some remarks about this question.

To begin with, there are two ways in which the cost-based position will make room for certain kinds of priority for compatriots. This is so, even if

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[52] Considerations of personal evils might lead us to say that we *may* save the toddler. However, perhaps they could also be fleshed out in such a way as to tell us, at a less fundamental level, that we *must* save the child ...

[53] It is certainly true that very often money transfers are not the solution for overseas problems (see section 1.4.2 above). However, in the context of the present discussion, I will bracket this problem.

that position probably does not see it as an intrinsic good to help someone who is a co-national simply for this reason. The first is that in so far as the cost-based position says you must act as consequentialism would require, you must prioritize your compatriots to the extent, and in such ways, that doing so brings about the best impersonal results. For example, in the present circumstances, the action with the best impersonal results might be to work for strengthening existing national welfare arrangements – even though such arrangements do of course prioritize co-nationals in a number of ways.[54] Secondly, you may, on the cost-based position, perhaps prioritize compatriots in so far as doing so is the least impersonally suboptimal way of avoiding great costs to yourself. By way of example: working to establish or uphold a strong national welfare state may well be the least impersonally suboptimal way of avoiding a number of great costs to yourself.[55]

A further question concerns how the cost-based position will react to apparent criticisms of it that emerge from debates such as those about priority for co-nationals. The contents of these criticisms cannot be explored in any depth here, but a number of them will hold that the cost-based position is too close to consequentialist forms of cosmopolitanism, and we will see some examples shortly. Here I would like to make two suggestions. Firstly, there will be some apparent criticisms of the cost-based position that after all are not applicable, because they are really about how a state should or may prioritize its citizens. The cost-based position, by contrast, is about the duties of the rich, individually, towards the poor.

Secondly, however, many criticisms will in the end often be applicable. For, the cost-based position wants to speak about *all* the duties of the rich

[54] However, lest we too easily justify large parts of the existing state of affairs by appealing to consequentialist considerations, we must note that the institutional order which we would now best be working for need – if it justifies any priority for compatriots at all – not justify anything like the current degree of priority for compatriots. At the *very* least, such an order would have much better provisions to see to it that all people have adequate food, shelter, education, and so on.

[55] Again, a couple of cautions. Firstly, it is hard to see how the least impersonally suboptimal ways of acting to avoid great costs to oneself would mean supporting structures that on a large scale leave people without food, sewerage, minimal security, and so on. Secondly, there are many forms of priority for compatriots currently institutionally in place that do not seem at all useful for avoiding great costs to oneself.

individuals towards the poor (not only about, for example, duties of beneficence). And many theories that primarily deal with what states – and other institutions – should do, secondarily have something to say about the duties of individuals as well, so their criticisms will in the end often be applicable. My suggestion would be that many applicable criticisms of the cost-based position that emerge from debates about priority for co-nationals, can to a large degree be incorporated into this view. Some authors, for example, point to the value of national self-determination.[56] Now, if this really is a value then the cost-based position can take it into account.[57] Another example is the idea that collective responsibility should be acknowledged, both of nations and other collective entities.[58] Arguments to this effect might be convincing: it might, for example, be convincing that a member of a youth gang is responsible for part of the crimes that the gang committed, even if they were not personally involved in committing them. To the extent that this is convincing, the youth has not behaved responsibly. Then the above proposal for making the cost-based position responsibility-sensitive will apply. In other words, the evils and goods that happen to an individual member of the gang should to some extent be discounted.[59]

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[56] Cf. D. Miller (2005), p. 71ff.

[57] It would be a highly complex one, and, for that matter, an unclear one, if it is meant as an intrinsic one. However, it may well be a placeholder for many valuable things with which it is more or less closely connected, such as the ability of people to live by their own customs, to decide who governs them, etc.

[58] Cf. D. Miller (2004), p. 132ff.

[59] It must surely be acknowledged, however, that many criticisms of a cost-based view made in debates about national priority resist incorporation into this view. About many such criticisms a third suggestion can be made. Many of them can be targeted by a general criticism that, elsewhere in this study, is used against certain recent (and also against contractualist) views: we argue that these views permit one to leave great evils unfought without having good reasons for doing so. Now, it seems that many criticisms of a cost-based view that emerge from debates about national priority, also entail that one is allowed to leave great evils unfought that one can fight at little cost to oneself. Furthermore, it seems that the – sometimes implicit – reasons they offer for allowing this are often unconvincing. For example, many arguments concerning national priority that appeal to coercion and reciprocity, appeal to considerations which it would not only be very hard to cast in terms of goods (cf. Arneson 2005, p. 135ff.), but which are also rather unclear. Being unclear, they cannot convince us that we may leave great evils that we can fight at little cost to ourselves unfought.

Finally, given that in this study we do not discuss issues that have to do with nationality, it may be asked whether it is wise to take as the most important visualization of poverty a case from what will for relatively many readers be a foreign country, namely Brazil.

On the one hand, not much hinges on the choice of the case. If we are afraid that the nationality issue will get in the way of our ability to draw firm conclusions about the Brazilian case, we can – if we are not Brazilians – easily regard this case as a counterfactual one by imagining ourselves as rich Brazilians, or by imagining the Brazilian poor to be the poor people in our own country. On the other hand, the choice of the case does betray the position that I tend to take on national priority. I would adhere to the cost-based position on this issue, and also to the thought that it is plausible to take the view that to avoid great costs to ourselves, we must work to sustain a decent welfare state in our own country. However, doing this is, I believe, to a very considerable extent compatible with doing a lot for the poor overseas. Similarly, even though a number of times the impersonally best results are achieved by taking care of those nearby and co-nationals first, it is still likely that one can often achieve the best results by helping out, where one can do so in an effective way, people a long distance away and who are not our compatriots, but whose plights are particularly dire.[60] The Brazilian case is meant to visualize such dire plights of many people who are for us remote and foreign.

To Conclude

In this chapter we have investigated a number of thematic criticisms of the position at which we provisionally arrived at the end of the second chapter. We have argued that this cost-based position can withstand the criticisms that concern how it may allow us to treat others, how it may allow others to treat us, and how it might require the government to treat us; and that a criticism that says that this position cannot make room for friendships can also be answered. However, these criticisms may show us that at a more concrete level, this position will take on a different face. For example, once one realizes that others are sometimes permitted to impose great costs on us, one realizes that sometimes the best way to act to avoid

[60] Alternatively, the most effective thing might be, here too, to do both.

great costs to ourselves may, paradoxically, be the following: to enter into agreements with others that stipulate that one is sometimes forbidden to avoid great cost to oneself. In a similar vein, in order to avoid great cost to oneself, it may be necessary to have friendships, yet if one has a friendship, this implies that one must sometimes take on great cost to oneself. Nonetheless, such modifications of the cost-based position at a less fundamental level leave this position fundamentally unchanged. In other words, even if it should have a different, more concrete, face, at the fundamental level this position can still hold that (1) we must always do what is impersonally best where we can do this at little cost to ourselves; and (2) that we might be allowed always to avoid great costs to ourselves, provided that we do so in the impersonally least suboptimal way that we can.

However, we have also argued that a fundamental change in this position is called for, so as to make it responsibility-sensitive. This change consists of the following elements. Firstly, to the degree that someone has behaved less responsibly, the evils that befall them will have less impersonal weight. Secondly, for someone judging a person's behaviour from the outside, the fact that this person has before them not only impersonal but also personal goods, will carry less weight if that person has behaved less responsibly. These changes give us a modified cost-based position.

In the next chapter, we will consider recent literature concerned with the question of what the rich should do to fight poverty – or very similar questions – and see whether the modified cost-based position can withstand the confrontation with this literature, or must be modified or abandoned.

5 Recent Criticisms

On the Work of Liam Murphy, Tim Mulgan and Garrett Cullity

In the previous chapter, we took a position around the central question of this study, that is, of what we rich individuals should do about poverty, which largely preserves and is only in some ways a modification of the cost-based position that we embraced in the second chapter. The present chapter asks whether this (slightly modified) cost-based position can stand in the face of insights that can be found in three studies that, taken together, may well constitute the most important recent literature about our central question. The three studies are by Liam Murphy (2000), Tim Mulgan (2001) and Garrett Cullity (2004).[1] After discussing criticisms of the cost-based position emerging from these studies, we will make our own criticisms of these positions.[2]

5.1 Criticisms Emerging from Recent Literature

5.1.1 Liam Murphy

We begin with criticisms found in Murphy (2000),[3] who begins by observing that people often object to utilitarianism or to other forms of consequentialism by arguing that it is 'overdemanding', or in other words, that it demands too much. This objection is, Murphy thinks, usually concerned

[1] All three books originated in dissertations. Important earlier versions of Murphy's and Cullity's books are found in Murphy (1993) and Cullity (1994). However, I will only draw on the ideas they defend in their books.

[2] It should be emphasized that we do not strive to be comprehensive.

[3] Parts of the central criticisms that Murphy makes have already been addressed in previous chapters. However, those parts do involve important criticisms, and it may be useful to look at them again and from a different angle.

with how much an agent loses, or how little remains for an agent after undertaking the actions that utilitarianism requires. Murphy continues, asking why a moral agent should not also complain about a moral theory that entails losing a lot – or that leaves the agent badly off – if most or all[4] *other* moral agents follow this theory.[5] Now, once we see the problem of 'too heavy demands' in this broader way – and it is hard to see, says Murphy, how we could resist seeing it in that way[6] – the original, apparently clear problem of overdemandingness becomes very unclear. For almost every moral theory will now seem very demanding for some people, and the best we can now make of the original problem is to say that those theories demand *too* much which, when fully complied with, are harshest on the least well-off, compared with alternative theories.[7] However, this is a far cry from the original, intuitively clear problem of overdemandingness.[8] Murphy goes so far as to say that problems that have to do only with the demands of a moral theory, are 'dissolved',[9] and that there is no problem of overdemandingness.

Murphy's criticism may seem to apply to the cost-based position. For this position, as we have presented it, deals primarily with what may be called the alienation-criticism of a moral theory, that is, with what it involves for an agent to behave in accordance with that moral theory. However, as just indicated, Murphy thinks that it is hard to justify focusing on the alienation-criticism as just understood instead of the demandingness-criticism, where the latter criticism is understood as concerned with what it involves for an agent if the agent *and* most or all others behave in accordance with a certain moral theory.

I would reply that once one thinks that the above-mentioned criticisms are all about the wellbeing of people or something similar – and this, inci-

[4] Murphy also considers the demandingness of moral theories in situations where some but not most or even all other agents follow the theory in question, in other words, in situations of partial rather than (almost) full compliance with that theory (e.g. p. 56ff.). However, I will leave such situations to one side.

[5] Murphy himself speaks of huge 'passive' demands of a theory in the latter case, of huge 'active' demands in the former. He takes this terminology from Kamm (1996).

[6] Murphy (2000), p. 60.

[7] Murphy also considers possible benchmarks other than this comparison with other moral theories, but it would take us too far from our point to go into these.

[8] For these thoughts see ibid., esp. p. 56; p. 59–60; p. 70.

[9] Cf. ibid., p. 70.

dentally, is what Murphy does[10] – then Murphy may well be right. If a moral theory leads to your loss of wellbeing when others act in accordance with it, then this may be just as bad for you as a case in which it leads to your loss of wellbeing when you act as it requires. However, a moral theory can be criticized for other reasons besides whether it leads me and other people to lose their wellbeing, or leaves us with little wellbeing. For one, a moral theory – and even one that thinks that, for the purpose of deciding what we must do for others, there are only goods in the world and that wellbeing is paramount among such goods – can be criticized for how it takes the goods that are before an agent into account in determining what it requires that agent to do. This is the kind of criticism of a moral theory that the alienation-criticism, as understood above, involves. Such a criticism can state, for example, that a moral theory must take into account the fact that an agent has both impersonal and personal goods before them when they are about to act. As was pointed out in section 4.1.1, criticizing a theory for not sufficiently taking into account the fact that an agent also has personal goods before them when acting, still makes sense even if we realize that an agent is also a 'patient' of the actions of other agents.

Furthermore, if Murphy is right to say that it is very hard to criticize a moral theory for the loss of wellbeing it involves for certain persons – or for the small amount of wellbeing that it leaves them with – if (nearly) everyone follows that theory,[11] then he himself may encourage us to turn

[10] See esp. ibid., Ch. 2.

[11] As said, Murphy goes as far as to say that in the end, there can be no problems of demandingness for a moral theory, that is to say, that there can be no problems that have to do only with how much an agent loses or how little is left for the agent if they as well as most or all other people do what the theory requires. His ground for saying this is that every remotely plausible moral theory will, if (almost) fully complied with, involve certain persons losing a great deal of wellbeing, or having little left, as compared with some alternative moral theory. However, the right diagnosis to be drawn from Murphy's observations might also be a different one, for example that, with respect to the active and passive demands that it makes, consequentialism is more defensible than alternative theories. Yet, even if such a diagnosis should be right, it still remains possible to criticize a theory on the grounds that it does not take sufficient account of what the agent has before them when they are about to act.

away from problems concerning demandingness, and *toward*, for example, problems concerning alienation.[12]

Murphy's work implies a second criticism of the cost-based position. It is a rather scathing criticism that claims that we have no intuitions about the relative weight of moral considerations in favour of promoting impersonal goods in relation to moral considerations in favour of promoting personal goods.[13] As Murphy puts it:

> [I]t is my claim that when we try to make a [judgment about the *appropriate degree* of potential conflict between self-interest and morality], we have nothing to say. We simply do not have any concrete intuitions on the matter; any conclusion we reach will reflect our prior beliefs – prior, that is, to reflection on the issue of the demands – about how we ought, morally, to live.[14]

For our purposes, Murphy's claim can be rephrased in a similar way to the claim presented above: we have no intuitions concerning the relative weight of the moral considerations in favour of promoting personal goods vis-à-vis those in favour of promoting impersonal goods, at least no intuittions that we can arrive at by looking at these considerations and goods per se.[15]

Murphy's claim is a very strong one. To take one of the most important implications of this claim: if it were true, then even the rather modest central statement cannot be justified. To recall, this statement was: for acts that are not greatly different with regard to the effect they have on *personal* goods but greatly different with regard to the effect they have on *impersonal* goods, you *must* choose the *impersonally* best one that you can. Or

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[12] At the beginning of his book (p. 21–23) Murphy argues that problems of alienation are reducible to problems of demandingness. However, his discussion is very brief, and he does not use the word alienation in the exact same sense as we do.

[13] In section 2.2.2 above, we explained that moral considerations in favour of promoting personal goods only generate permissions to promote these goods, not requirements.

[14] Murphy (2000), p. 69, emphasis in original. For the sake of the argument, at this point Murphy only considers active demands of morality.

[15] Strictly speaking, Murphy's claim is that we do not have anything to say on the moral weight of considerations in favour of furthering personal goods vis-à-vis other morally relevant considerations. Furthermore, some might be tempted to cast Murphy's discussion as one about the *authority* of morality: about how much weight moral considerations should carry among a wider range of practical considerations. However, this seems less adequate. Murphy intends to talk about the content of morality.

rather, if Murphy's claim were correct, there would be no way of justifying the central statement in a *direct* way, that is, by only appealing to impersonal and personal goods, and to the moral considerations generated by these goods.

However, in Chapter 2 we argued that we can say something about this weighing, at least if we accept that human beings do have two fundamentally different kinds of goods before them, both of which are essential to them – and that for moral purposes the world is a place where, ultimately, only these two kinds of goods are to be seen, and where they call for promotion only.[16] It is quite likely, though not a matter of logic, that if this is so, one must – as the central statement says – fight an impersonal evil that is great by its own standards if this can be done at the price of suffering a personal evil that is small by its own standards.

At the same time, the cost-based position would agree with Murphy to quite some degree: as soon as fighting great impersonal evils or great personal evils comes at the price of suffering evils of the other kind that are also great – for example, if one can only fight great impersonal evils at the price of suffering great personal evils – we are at a loss to say whether we should morally fight these evils or not, or in the case of personal evils, whether we *may* fight them or not.[17] Furthermore, if the arguments given in Chapters 2 and 3 above are correct, then consequentialism cannot provide more clarity here either, nor might a credible form of contractualism. For, as argued in Chapter 2, the consequentialist position which considers that only impersonal goods matter morally is on second thoughts not even acceptable to the consequentialists themselves, considering the implicit picture of the world and human beings that they hold; and, as argued in Chapter 3, a credible form of contractualism may well reproduce to a great extent the moral uncertainty to which the duality of human nature leads.

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[16] One is not far from appealing to impersonal and personal goods themselves only, and to the moral reasons that these goods generate, if one appeals to the consideration that human beings have two fundamentally different kinds of goods before them, both of which are essential to them, and if furthermore one considers that these goods call for promotion only (and that for the purpose of deciding how we should treat others, there are no relevant things to be seen in the world apart from these two kinds of goods).

[17] See note 13 above.

A third point of criticism of the position that we have proposed can be taken from Murphy's work.[18] Most people would say that you must go to greater lengths in terms of cost to yourself to prevent certain impersonal evils than to prevent certain other impersonal evils that seem to be of the same size, for example, that you must go to greater lengths to avoid killing someone than to avoid letting someone die. Now, a position that builds only on moral considerations provided by impersonal and personal goods may not allow for this possibility. Such a position seems to imply that if an impersonal evil is of the same size, you must go to the same lengths in terms of personal evils in order to prevent it. The answer to this objection could be, firstly, that the position proposed above is actually more flexible than the objection suggests: it is more adequately rendered as implying that one should go to the same lengths to prevent *comparable* impersonal evils rather than implying that you should do so to prevent impersonal evils *of the same size*. Put differently, this position does not call for some rigid and simplifying form of quantification that neglects certain relevant characteristics of evils – characteristics that may well differentiate between killing and letting die. Secondly, once we put the matter this way, it seems that the view implied by the cost-based position is quite plausible: surely someone who maintains that we should *not* go to the same lengths to prevent comparable evils, has the burden of proof on their side.

5.1.2 Tim Mulgan

We now turn to Mulgan, who argues that it is not possible to pick out a distinctive class of moral reasons by referring to self-interest.[19] In a similar vein, Mulgan suggests that the distinction between self-interest

[18] In fact, Murphy presents a challenge that is somewhat different from the one that now follows in the text. He challenges those who object to certain theories of beneficence because of their demands to explain why they do not think (because many do not) that great demands which flow from deontological prohibitions are objectionable (see e.g. Murphy 2000, p. 40, p. 60–61). I have turned Murphy's challenge around by saying: most people think that we should go to greater lengths to avoid murdering someone than to avoid letting someone die. The position that was proposed above may not seem to allow for this. Does that not make the position objectionable?

[19] Mulgan (2001), p. 252. Here, Mulgan draws heavily on Raz (1986, 1999).

(roughly the same as 'personal goods') and the interests of all (roughly the same as 'impersonal goods') is not as important for distinguishing different kinds of moral reasons as is commonly assumed.[20] For, according to Mulgan, we cannot imagine someone living a fulfilling life – which to live would be in their supreme interest - if they did not care for the interests of other people.[21]

So, according to Mulgan, and contrary to the cost-based position, the distinction between the moral reasons generated by personal goods and those generated by impersonal goods is not an important distinction when it comes to deciding what we must do morally. Against Mulgan, I would maintain that it is. It is, on reflection, very hard to believe that the moral considerations in favour of fighting impersonal evils coincide with the moral considerations in favour of fighting personal evils. This is not to say that for an agent the conflict between following one kind of consideration or the other, is necessarily the rule. However, unless it should be very nearly one's chief good to promote impersonal goods as best one can, or possibly also if it should be very nearly one's chief personal good to act morally, both of which I believe to be implausible,[22] there can be conflicts. Moreover, quite a lot can hinge on my choice: if I choose the impersonal goods, some people may have much better lives as a result, but mine

[20] Ibid., p. 253, where Mulgan shifts from 'self-morality' to 'self-others'.

[21] Mulgan (2001, p. 253, again approvingly quoting Raz) says that we cannot imagine a person who serves their self-interest and yet fails to grasp certain kinds of moral reasons. Subsequently, he effectively shifts to moral considerations in favour of furthering impersonal goods and moral considerations in favour of furthering personal goods. In the following, I focus on the claim that these two kinds of considerations very nearly *coincide*, which admittedly may be a claim that even Mulgan would find too strong. I focus on this 'coincidence' because on the cost-based position we can concede that there is *some* intertwining of the two kinds of reasons. At the same time, however, this position does implicitly seem to assume that the moral reasons generated by impersonal goods and those generated by personal goods do not (nor nearly) coincide. For if they did, distinguishing between these kinds of moral reasons would not be important for deciding what we must morally do, and it would be misguided to focus too much on the distinction between these reasons.

[22] Cf. section 2.2.2 above on this point that even a consequentialist cannot usually assume that it is a person's chief personal good to further the impersonal good as best they can. Also cf. section 3.1.2 above which states that behaving morally is perhaps best seen as a small part of the personal good only.

may be worse, or finished. If I choose the personal goods, the result may be the reverse.

Now, Mulgan may not mean to deny that impersonal and personal values[23] give rise to different moral reasons. Rather, he may be asserting either (1) that these reasons are not *that* different, or (2) that other pairs of moral reasons are more important. As for the first possibility: it is not only unlikely that the moral reasons to which impersonal and personal goods give rise will point in *exactly* the same direction with regard to what we should do, but it is also unlikely, in a fair number of cases, that they will point in *more or less* the same direction. What is in the interests of all can be a long way from what is in the interests of a particular moral agent – although, as just said, this need not always be the case – and thus the moral considerations in favour of furthering the former and those furthering the latter, may well point in very different directions. Mulgan himself implicitly concedes that what best serves a moral agent's personal goods will often be very far from what best serves the impersonal good, for he makes much of the distinction between needs and goals, as shall be explained below, and holds that it is permissible sometimes and in some ways to prioritize *my own* goals over the needs of *others* (or of *all*).[24] Here the opposition of self and others (or all) is no doubt essential.[25]

The second possibility seems more attractive: when it comes to the moral reasons to which certain distinctions give rise, there are more important distinctions than that between impersonal and personal goods. Mulgan thinks, more specifically, that the difference between the moral reasons generated by needs and those generated by goals is more important than the difference between moral reasons generated by personal evils and those generated by impersonal evils.[26] According to Mulgan, 'needs are [roughly speaking] the biologically determined necessities of life',

[23] As in earlier chapters, I will use the words 'values' and 'goods' indiscriminately.

[24] See e.g. Mulgan (2001), p. 240–241, p. 249–250: here, when speaking about 'balancing' the realm of needs and the realm of goals, Mulgan uses a variation on Scheffler's theory. However, in what follows, this part of Mulgan's theory will be less important.

[25] Mulgan holds that in a world where all needs are fulfilled, my own goals and those of others will not conflict so much; but even if this is true (and we will express our doubts below), we do not live in such a world. In a world where not all needs are fulfilled, there will be conflict between the goals of the rich and the needs (and therefore also the goals) of the starving poor (cf. Chappell 2002, p. 896–897).

[26] See e.g. Mulgan (2001), p. 251, 253.

while goals are 'our chosen pursuits, projects, and endeavors'.[27] Mulgan thinks that goals are morally best dealt with by a rule-consequentialist theory. Very roughly, such a theory says that I must act in accordance with the rule that would have the best consequences if it were followed by most or all people. By contrast, Mulgan thinks that needs may well call for an act-consequentialist theory, that is, a theory that says that I must perform the act that here and now has the best consequences.[28] It is just such a theory that we have been thinking of all along when speaking about consequentialism. We will argue below that rule consequentialism, which Mulgan agrees is inappropriate for dealing with needs, does not deal very well with goals either. Furthermore, we will say that a concern which stops Mulgan adopting act consequentialism for goals, namely, that goals are flexible and not rather inflexible entities that can be maximized, can be allayed. If this is right, needs and goals do not, in the end, call for different moral reactions: both call for acts that here and now best promote their fulfilment.[29]

5.1.3 Garrett Cullity

Garrett Cullity makes at least two claims that imply criticisms of the position that we have embraced. The first is that, regardless of which moral theory one endorses, one will end up having to accept extreme demands of beneficence.[30] Why is this so? Cullity states that you have a good reason

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[27] Ibid., p. 173. Mulgan concedes that it is very hard in practice to distinguish between needs and goals: we will always have to deal with both.

[28] Ibid., p. 247ff.

[29] Now of course I have defended a position that contains deviations from act consequentialism in that it recognizes a moral consideration in favour of fighting personal evils. However, I would hold that these deviations can be defended whether we are talking about needs or goals. This is contrary to Mulgan, who believes (to rephrase him in my own way) that when it comes to needs – but not when it comes to goals – the only moral reasons generated are impersonal ones. Cf. Mulgan (2001), p. 240–241.

[30] Cullity is not concerned with morality in its entirety, but only with the part of it that he dubs 'beneficence'. He thinks that we need in any case not do less, morally, than we need to do as a duty of beneficence (personal communication, July 2006), and perhaps we ought to do more. So strictly speaking, the discussion that follows is not about the usefulness of appealing to the distinction between impersonal and personal goods – and the moral reasons they generate – for the question of what the rich should do morally for the poor *tout*

of beneficence to help someone if *they* need help. Now, could it be acceptable to point to things that you have already done for other people in need as a reason for not helping those in need now? Cullity thinks not, for to accept this as a good reason would be to fail to take seriously the fact that the actual person who is now in need, needs help.[31] In Cullity's words, we fail to take seriously someone who now needs our help if we calculate the cost of helping that person aggregatively, that is, by looking at the cost of the total amount of help that we have already provided to people in need – rather than iteratively, that is, by looking at whether our act of helping that person would by itself come at great cost to us.

This line of thought is relevant here for the following reason. If the iterative approach is the one we must adopt, then distinguishing between moral considerations for fighting impersonal evils and moral considerations for fighting personal evils does not make any contribution to answering the question of how much moral agents (such as rich people like us) should do morally about serious world problems (such as poverty).[32] If the iterative approach is right I must actively give up almost everything I have: for I can only stop giving if a single act of helping, giving to a charity, for example, *by itself* comes at significant cost to me, and otherwise not – not even if my acts of helping *taken together* become very costly for me. This is so regardless of whether there are moral considerations in favour of fighting personal evils or not, and no matter what the strength of such considerations might be. If such issues are all totally inconsequential for answering our central question, then it is surely misplaced to focus on the two kinds of goods, personal and impersonal, and on the moral considerations that they generate.[33]

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court; it is about the usefulness of appealing to these goods when determining what the rich should do morally for the poor for reasons of beneficence. I will not always heed this nuance in my wording. Incidentally, Murphy is also concerned with beneficence only, which he considers as just one part of morality. (Moreover, like Cullity, he omits this qualification from the title of his book.) This qualification was not important with regard to the criticisms that we found in his work above, but we will come back to it in section 5.2.2 below.

[31] See e.g. Cullity (2004), p. 86–87.

[32] Cf. Cullity (2004), p. 93.

[33] Against this background, it appears that in this study we have usually been thinking about cost in a non-iterative way all along. Cf. also section 6.1.3 below.

What can the answer to Cullity's line of thought be? It may be that it is not clear why all moral theories should approach demands in an iterative way. We can, for the sake of the argument, grant that you fail to take the person who is now in need seriously if you justify your refusal to help this person by pointing to what you have already done for other people. However, even so, we should say that other considerations may still back up a non-iterative approach to cost.[34] (Such a non-iterative approach would most likely be what Cullity calls an aggregative approach: it would count cost by looking at how much you lose or how little you have left if all your acts of help are considered together.[35]) For example: if I end up giving up, albeit only in very small steps, almost everything I have, it is intuitively clear that I incur great costs.[36] If I have morally relevant objections against doing things that make me bear such costs, I have morally relevant objections against *approaching* cost in an iterative way.[37] True, Cullity says rightly that I beg the question against the iterative view if I justify not helping the person who now needs help by claiming that it would be too costly for me to do so.[38] For the cost of helping is, iteratively seen, not great. However, suppose that – as just said – I cannot approach cost iteratively without ending up doing things that make me bear costs that are, intuitively, very great, and that I have moral reasons for refusing to do things that bring me those great costs – I could, for example, point out that doing these things would not do enough justice to the fact that I also have personal goods before me, not only impersonal ones. I then have a moral reason not to approach cost iteratively which does not refer to what I have already done for others. This is important because such a reference would be problematic, as mentioned above.

If it is right that a theory need not adopt an iterative idea of cost to the moral agent, then it is not so clear that it is misguided or useless to approach the question of how much we rich people should do for the poor – and similar questions about how much moral agents should do about serious world problems – by focusing on impersonal and personal goods and

[34] As Cullity himself recognizes on p. 191.
[35] Cf. ibid., p. 82ff.
[36] There is a sorites paradox involved here.
[37] Actually, this argument is not original. It is very close to the argument that Cullity himself develops against the iterative approach to cost. See Cullity (2004), p. 94, 190–191.
[38] Cullity (2004), p. 87.

the moral considerations that they generate.[39] At least, distinguishing between these two kinds of goods and considerations need not be totally inconsequential with regard to the answer to these questions.

Cullity's second line of thought that is relevant here is that even from every appropriate, totally impartial perspective we must, on second thoughts and contrary to first appearances,[40] *reject* extremely demanding accounts of beneficence.[41] If this should be true, it would again show the appeal to impersonal and personal goods and to the moral reasons that they generate to be rather inconsequential for answering the question of how much moral agents should do to fight poverty. Cullity's thought is as follows: if we must accept extreme demands of beneficence, as Cullity had initially argued we must, most ways of life and pursuits are wrong because they are out of step with these demands. This would be true, for example, for those pursuits that are part of a non-altruistically focused life – a life that is not focused exclusively or at least primarily on making the world a better place.[42] Furthermore, Cullity maintains that you cannot be required to help someone obtain or pursue what is wrong for them to obtain or to pursue.[43] Consequently, most causes that we commonly think generate requirements of beneficence do not do so, if extremely demanding accounts of beneficence have got it right. However, this, Cullity holds,

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[39] Indeed, it becomes all the more attractive to approach the issue in this way to the extent that Cullity's own proposal can be shown to be more problematic (see section 5.2.4 below).

[40] As we have just seen, Cullity argues at length that at first sight and on first reflection we are led to *accept* extreme demands.

[41] See e.g. Cullity (2004), p. 146. Cullity seems to think that even straight consequentialists should reject extremely demanding accounts of beneficence, because they too should agree with the argument that now follows.

[42] In Cullity's own words:

> I have an altruistically focused life if I am constricting my pursuit of my own fulfilment as much as I bearably and usefully can, for the purpose of contributing to helping others (Cullity 2004, p. 133).

Lives that are not like this are non-altruistically focused. For some further terminological refinements, see Cullity (2004), p. 158.

[43] You cannot even have a pro-tanto requirement (i.e., a requirement that stands unless it is trumped by stronger considerations that undo it) to help someone obtain what it is wrong, Cullity seems to say. However, he does not use the term 'pro-tanto requirement'. For more discussion on this point, see section 5.2.4 below.

is absurd,[44] and hence extremely demanding accounts of beneficence are false.

However, if it is wrong for me to obtain or keep something, it does not follow that others are not required to help me obtain or keep it. Indeed, some relatively plausible forms of moral thinking *would* sometimes require you to help people obtain or keep things that they ought not to have or that they ought to give up. For example, you can be required to help me develop something, for example, my cognitive capacities, even though I must not develop these, but instead must do something, for instance, that will cost me my life. A consequentialist might defend this: if helping me develop my cognitive capacities is the impersonally best thing you can do, you must do it. However, since my position in the world is different from yours, it may also be that I must perform an act which involves not developing my cognitive capacities. Furthermore, according to a consequentialist, you might be obliged to help me develop my cognitive capacities even if I do not go ahead and sacrifice them, that is, even if I act wrongly; for in this case too, helping me develop my cognitive capacities may still be the best thing for you to do.[45] Therefore, although all extremely demanding views will say of a great many things that it is wrong to hold on to them, not all extremely demanding views need to say that most cases that we commonly think generate requirements of beneficence, do not really do so (according to Cullity, to say this would be absurd). In other words, it turns out that not all extremely demanding views of beneficence are absurd, and it does not seem convincing, accordingly, that from every totally impartial standpoint extreme demands of beneficence would be rejected. Therefore it does by no means seem relatively useless or inconsequential to appeal, when answering our question, to a distinction between impersonal and personal goods and to the moral reasons that they generate, as we have done.

To conclude: I am not convinced by the reasons given by recent authors for thinking that it is misguided or at least unfruitful to appeal to a distinction between impersonal and personal goods, or to some similar distinction, and to the moral reasons that these goods generate, for resolving the question of how much the rich should do morally against poverty.

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[44] For a thorough elaboration on why it is absurd, see Cullity (2004), p. 142-143.

[45] This could be a ('full-fledged') all-things-considered requirement.

5.2 Criticisms of Recent Literature

5.2.1 Introduction: On Doing No Good for No Good Reason

In this section we turn to some criticisms *of* rather than *from* the recent literature that was discussed above. We argue that Liam Murphy, Tim Mulgan and Garrett Cullity explicitly deny, or at least run the risk of denying the central statement that you must at least fight great impersonal evils to the extent that you can do so without incurring great personal evils. A theory could perhaps deny this statement without therefore becoming implausible. However, since there is on the face of it a very good moral reason to do a great deal of impersonal good if you can do so at little cost to yourself, we may at the very least ask those who deny this, or who embrace a position that risks denying it, to give clear and good reasons for doing so.[46] We argue that the reasons that these authors, sometimes implicitly, provide for doing so are unconvincing.

Contrary to the recent positions to be discussed below, the cost-based position runs hardly any risk of denying the central statement. This is because the only key ingredients of this position are impersonal and personal goods, both of which are taken to call for promotion. So it seems that the only justification for not promoting impersonal goods is that it imperils personal goods. However, it is extremely implausible that personal goods can offer a convincing justification for not doing great impersonal good when one can, if these personal goods are small by their own measures.

5.2.2 Liam Murphy

In his *Moral Demands in Non-Ideal Theory* (2000), Liam Murphy defends the following very cumbersome principle for specifying our duties of beneficence:

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[46] In the present section, we will commonly proceed on the assumption that the authors we discuss would not find it indefensible to deny this statement, and then argue that the reasons why they do or may well deny it, are unconvincing. The above-mentioned assumption constitutes a worst-case scenario, so to speak, which seems clearly applicable in Murphy's case, but which may be too pessimistic in the case of Mulgan and Cullity as they may themselves find it unacceptable to deny the statement.

> Everyone is required to perform one of the actions that, of those available to her, is optimal in respect of expected aggregate weighted well-being, except in situations of partial compliance with this principle. In situations of partial compliance, a person's maximum level of required sacrifice is that which will reduce her level of expected well-being to the level it would be, all other aspects of her situation remaining the same, if there were full compliance from that point on. Under partial compliance a person is required to perform either an action, of those requiring no more than the maximum level of required sacrifice, that is optimal in respect of expected weighted aggregate well-being, or any other action which is at least as good in respect of expected weighted aggregate well-being.[47]

For our purposes, Murphy's most important assertion is that you do not have a requirement of beneficence to take up the slack from the non-compliance of others. It is clear that this often comes down to permission not to fight great evils which could be fought.

What good reasons, then, does Murphy offer for this? He says that, ultimately, his principle of beneficence is supported by the tally of considerations. Murphy is not, however, very explicit about what this tally involves. One can try to reconstruct this from his book, and then it seems that it involves, among other things, the following. Firstly, Murphy's principle has relatively plausible implications; and secondly, Murphy's principle treats those involved in beneficence, which he sees as a cooperative project, not as forces of nature but as agents.[48]

I will only consider this second idea here.[49] Let us, for the sake of the argument, grant that beneficence should be seen as a collective project.

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[47] Murphy (2000), p. 117. To this principle Murphy adds a 'third-person rider', which is less important for our purposes:

> However, no one is required to act in a way that imposes some loss on some other person unless that other person's level of expected well-being after the loss would be at least as high as it would be, all other aspects of the situation remaining the same, under full compliance from that point on. (Murphy 2000, p. 118)

Just one note on Murphy's terminology: by maximizing expected 'weighted' aggregative wellbeing he means, doing what on expectation maximizes total wellbeing on a conception that in some way gives more attention to the worse off.

[48] This tally also involves Murphy's principle giving an explanation of why the optimizing principle (the principle that you must always morally do what is impersonally best) is absurd, and this explanation not appealing to how much the optimizing principle demands. This is an advantage according to Murphy because, as we have seen in section 5.1.1 above, he thinks that such an appeal would be problematic; see e.g. Murphy (2000), p. 74, 97.

[49] I leave Murphy's first point to one side because it seems to be a rather weak source of support for Murphy's principle.

How is it that on such a conception of beneficence, we arrive at the idea that collaborators in the collective project should not have to take up the slack from non-collaborators? No doubt it is an idea of *fairness* that says that agents in a cooperative project should be treated as agents in the more specific sense by which it is all right for cooperators not to take up the slack of non-cooperators. However, here it could be objected that to let people starve etc. for the sake of fairness of this sort is certainly, as Peter Singer puts it, 'taking fairness too far'.[50] For firstly, this kind of fairness – and the view of human beings with which it is allegedly connected, namely, that human beings are not forces of nature but agents – does not, to my mind, point to a clear and great good for the sake of which one could decide to let people starve when one could help. Furthermore, it also cannot be considered – in a contractualist framework, for example – as an acceptable reason for letting people starve whom one could help; or so, at least, authors such as Scanlon and Rawls would think (see section 3.2.2 above). In short, to accept considerations that have to do with Murphy's kind of fairness as a justification for letting concrete evils persist, surely violates what I have called the central statement, and does so for no good reason.

One could, of course, say that this is hardly conclusive evidence: one could hold a different view concerning which goods are great goods and which reasons could be offered in a contractualist framework. Nevertheless, the problem with Murphy's appeal to fairness is serious. Even if one should accept fairness as a great good or as an acceptable consideration, Murphy's particular notion of fairness seems very questionable. Murphy's own discussion of a complaint against letting great evils persist by appealing to this notion of fairness, that is, fairness defined in terms of not having to take up the slack of non-compliers, shows this. He says:

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[50] Singer (1999), p. 63:

> ... we know that the money we can give beyond that theoretical 'fair share' is still going to save lives that would otherwise be lost. While the idea that no one need do more than his or her fair share is a powerful one, should it prevail if we know that others are not doing their fair share and that children will die preventable deaths unless we do more than our fair share? That would be taking fairness too far.

Singer goes further than I would go when he says that fair share arguments are powerful.

It could be objected that ... [the] 'victims' of non-compliance are likely to be worse-off than the compliers whom [an act-consequentialist] requires to take up the slack, and we would normally think it fairer to let some cost fall on the better-off of two people.[51]

However, this objection, Murphy says:

... assimilates a concern with the fairness of the way a principle of beneficence imposes responsibility on agents to a general concern about the fairness of the distribution of well-being.[52]

Here Murphy says that there are different kinds of fairness, and that he is talking about one kind of fairness only. However, the other kind of fairness seems a much more compelling kind, although he is not talking about it, and it would not lead to the conclusion that we do not have to take up the slack. Indeed, it may even suggest that we must further impersonal goods as best we can – which goes even further than the cost-based position.

Murphy might again try to build a defence of his position based on the fact that his principle is only about duties of beneficence, not about *all* moral duties. However, whatever the exact outlines of such a defence, we should observe that the really interesting thing is whether there is, according to Murphy, a moral duty to fight great evils that one can fight at little cost to oneself, even if fighting them means taking up the slack. It matters little whether this moral duty is a duty of beneficence or some other kind of moral duty. As Murphy's story stands it gives the strong impression that he denies the existence of such a duty – even if we cannot be sure whether he actually does as he only talks about beneficence.

5.2.3 Tim Mulgan

Tim Mulgan offers a theory that, like Murphy's, seems to imply that we may sometimes let great evils persist when we could fight them at little cost to ourselves. The theory is based on a distinction between two kinds

[51] Murphy (2000), p. 92.

[52] Murphy (2000), p. 92. The victims of non-compliance, Murphy continues, are not worse off because they 'have been required to take on (either actively or passively) responsibilities that rightly belong to others' (ibid.).

of values that, according to Mulgan, call for very different moral responses. These values are needs and goals. As said above, needs refer to what we require because of our biological features, while goals are things that we choose to do or to engage in. To highlight the differences between these kinds of values and between the appropriate moral responses to them Mulgan also speaks of 'the realm of necessity' and the 'realm of reciprocity', respectively. According to Mulgan, with regard to needs, act consequentialism could be an acceptable theory. However, in this section we will concentrate on a world in which all needs are fulfilled and that thus falls entirely within the realm of reciprocity.[53] For Mulgan, in such a world, rule consequentialism would be an acceptable moral theory. The form of rule consequentialism that Mulgan has in mind is much like Brad Hooker's, which states that:

> ... an act is wrong only if it is forbidden by the code of rules whose internalization by the overwhelming majority of people (say 90%) in each new generation has the greatest expected value.[54]

Since there may be a difference between what such a code (call it the 'ideal code') would say and what it is best to do at this moment, it is, on the face of it, possible that we would, while abiding by this code, be allowed to let great impersonal evils persist that we could, here and now, fight at little cost to ourselves. Mulgan's reply to this charge could take two forms. To begin with, he could argue that the charge gets it wrong: on reflection, it turns out that the ideal code of rules never permits me not to fight great evils that I could, here and now, fight at little cost to myself. Alternatively, Mulgan could say that the ideal code does sometimes permit this, but only for very good reasons.

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[53] In the real world, we need, according to Mulgan, not only an account of the realm of reciprocity, but also an account of the realm of necessity, as well as an account of the boundary between the two. However, also in the real world, at least a number of cases will fall entirely within the realm of reciprocity, and it is to these that I will limit myself in this section.

[54] Hooker (2003), p. 291. In a slightly more complex alternative formulation:

> An act is wrong if and only if it is forbidden by the code of rules whose internalization by the overwhelming majority of everyone everywhere in each new generation has maximum expected value in terms of well-being (with some priority for the worst off). (Hooker 2000, p. 33)

We take the first line of reply first. It may seem that rule consequentialism *does* always require me, here and now, to fight great evils when I can do so at little cost to myself. For it might seem that a rule telling people to so behave – or to do even more to fight evils – has the greatest expected value when internalized by the overwhelming majority.[55] However, Mulgan himself admits that it is very difficult to determine what rule consequentialism would require.[56] Therefore it seems uncertain whether it will always require us to fight great evils, here and now, when we can do so at little cost to ourselves. Secondly, Mulgan points out that in the realm of reciprocity at least, his rule consequentialism is equivalent, practically speaking, to contractualism.[57] However, as we have said (see section 3.2.2 above), contractualism has persistent tendencies to sometimes permit one not to do great good that one can do at little cost to oneself.

The first line of reply can also take a different form. One may admit that, following the ideal code, one is on the face of it acting against the statement that one should always fight great impersonal evil where one can do so at little cost to oneself. However, one may say that at a deeper level this is not so. For example, some complex goods, such as friendship, consist of intricate combinations of actions, and it may turn out that an action which at first sight, and considered in relative isolation, is not found to be very costly, is when one takes a broader perspective costly after all, because, for example, it damages a friendship. Perhaps such a story could be told about certain actions that the ideal code would tell us

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[55] Mulgan at one point (p. 80) raises the possibility that rule consequentialism would advocate, for the real world, a rule such as the one that Hooker advocates:

> Over time agents should help those in greater need, especially the worst off, even if the personal sacrifices involved in helping them add up to a significant cost to the agents. The cost to the agents is to be assessed aggregately, not iteratively. (Hooker 2000, p. 166)

Concerning such a rule, Mulgan asserts that under rule consequentialism some interpretations of it could be chosen for application in the real world, and that those that could be chosen would only be very demanding ones.

[56] See e.g. Mulgan (2001), p. 101. However, Mulgan holds that the importance of autonomy is one of the things that makes it easier to determine this in the realm of reciprocity. Yet he does not say very much about where rule consequentialism would leave us in this realm.

[57] Mulgan (2001), p. 229ff. The form of contractualism that Mulgan has in mind is that of Scanlon.

to perform, if on the face of it these actions go against the central statement.

Two doubts can be registered, however, about the availability of such a story. Firstly, to be acceptable, such a story must not only be an impressionistic appeal to the 'nature' of certain goods, such as friendship, community or autonomy,[58] but it must point out very precisely how acting to fight a great impersonal evil comes at great cost to an agent. Now it seems dubious whether a rule consequentialist could always compose such a precise story. For, as said, when it comes to goals the rule consequentialist is very nearly a contractualist, and contractualism is tenacious in sometimes finding it acceptable that one not do great impersonal good that one could do at little cost to oneself. Secondly, telling the above-mentioned story in relation to our central statement is very similar to moving from direct to indirect consequentialism,[59] but not from individual to collective consequentialism.[60] In other words, the story remains individual: there is no appeal to internalization by *everyone* or nearly everyone. Mulgan's ideal code, by contrast, does make such an appeal. This appeal may well mean that the code allows actions that go against our central statement and that cannot be brought in line with it by telling a story about indirectness.

In short, I very much doubt whether Mulgan's rule consequentialism always abides by the statement that if you can do great good at little cost to yourself, you must do so.

However, we said that Mulgan has a second way of replying to the charge that he does not abide by this statement: he could recognize that he does not, but go on to say that he has very good reasons for this.

More specifically, he might argue that even for a theory centrally concerned with the promotion of value it is not necessary to be in keeping

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[58] Mulgan (2001, Chs. 7–10) often speaks impressionistically, for example when he argues for the plausibility of rule versus simple consequentialism in the realm of reciprocity, and does so by appealing to general features of goals versus needs in virtue of which rule consequentialism would do better than act consequentialism.

[59] For greater clarity: according to indirect act consequentialism, the right act is that which maximizes the good, not directly and by itself, but when one considers the broader context of which it is a part (e.g. the practice of friendship or the educational career of which it is a part).

[60] Act consequentialism is frequently considered the main form of individual consequentialism, while rule consequentialism is the best known form of collective consequentialism.

with our statement. At the end of his book, Mulgan states that the promotion of value is the central idea of consequentialism.[61] However, this idea, he says, can be fleshed out in a variety of ways, including deviations from the maximization of value and the individual promotion of value.[62] Such deviations could lead to forms of consequentialism that violate our central statement, but that could be defended, for example, by pointing out that they are intuitively appealing ways of fleshing out what the promotion of values amounts to, or that they are intuitively appealing *tout court*.[63] However, I do not find this appeal to intuition promising if it is to become the basis of a justification for sometimes acting against our central statement. Surely it is difficult to recognize any consequentialist inspiration in those who abandon this statement.[64] And more generally, the statement has a great deal of intuitive appeal.

A second good reason for not fighting evils even when one can do so at little cost to oneself could be that there are really no evils to be fought. Sometimes when talking about goals, Mulgan seems to be sympathetic to this idea.[65] He takes goals, which at one point he describes as 'our chosen pursuits, projects, and endeavors',[66] to have a number of characteristics, one of the most interesting of which is that they are very *flexible*. If this is so, then there may be no goals that are pre-given to a theory of right and that call for maximization; and this would condemn any form of conse-

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[61] Mulgan (2001), p. 285.

[62] Mulgan (2001), p. 284–285.

[63] Mulgan points out that many contemporary rule consequentialists (such as Hooker) rest the case for their theory on its intuitive appeal *rather than* on consequentialist foundations, see e.g. Mulgan (2001), p. 58.

[64] In Chapter 2 we understood consequentialism in such a way that it is maximizing and not satisficing, and promotion in such a way that it is individual and not collective. Mulgan, by contrast, has a very broad understanding of consequentialism. For example, he gives the impression that for him Scheffler's theory also counts as consequentialist (as he discusses this theory under the heading 'individual consequentialism').

[65] At least, as far as the realm of goals is concerned, about which I am concerned here. However, even with regard to this realm I leave open the question of to what extent Mulgan endorses the response that I am proposing. Sometimes he says that we can assist other people in pursuing their goals (e.g. p. 225). Can we conclude from this that the fulfilment of goals *can* be maximized? However it may turn out to be, it *is* in any case clear that Mulgan thinks that there are some rather inflexible 'preconditions' for any goals to be realized (p. 224), and it seems that the fulfilment of these preconditions can be maximized.

[66] Mulgan (2001), p. 173.

quentialism – as well as any other moral theory that works with pre-given goals. Rather, a theory of right may help us choose goals, for instance those goals and such pursuits of them that avoid competition with the goals and pursuits of other individuals. Mulgan goes a long way towards thinking that individuals could choose goals that are non-competitive with those held by other individuals. What is important for the present purposes is that, if this picture is correct, the reproach that a moral code allows people not to fight great evils that they could fight at little cost to themselves, comes to nothing.[67]

It is clear, however, that this picture of why one need not, or indeed cannot, abide by our central statement depends on the inadequacy of thinking of goals as quite inflexible and liable to promotion by a theory of right. However, is this picture really so inadequate? The best way to show that it *is adequate* may be to offer a theory of human goals – or, in my terms, of the human good[68] – which is relatively plausible and in which the human good is seen as relatively inflexible and as something that can be promoted or maximized. One such theory holds that a good life basically consists in having a real choice from a reasonable number of projects that realize most of one's key capacities to a certain extent – and that this is true whether or not people regard it as true. Having such choice seems to me to be a relatively inflexible good that can be maximized. One can assist people in realizing this good by taking care of the preconditions for its realization or also, for example, by assisting them to pursue a certain chosen project.

5.2.4 Garrett Cullity

Finally, we return to Garrett Cullity. Cullity says that we have a moral reason (of beneficence) to help someone whenever they *need* help. It may seem, therefore, that Cullity agrees with our central statement that if you

[67] Of course, one could construe this response that Mulgan might make as saying that the central statement has an incorrect presupposition, and that it therefore needs to be revised rather than to be abided by.

[68] In Chapter 6 below (esp. section 6.1.2), we will offer the theory that we will shortly refer to in the text as a theory of the human good. However, I think that it could also be plausibly developed as a theory of human goals.

can do a great deal of impersonal good, or fight great impersonal evils, at little cost to yourself, then morally you must do so.[69]

However, this conclusion is drawn too hastily, as Cullity thinks that there are other moral reasons that can countervail against the moral reason for helping someone who is in need. The most important reason he discusses stems from the thought that if someone is obviously required to help me obtain or keep a certain thing, or a way of life for example, then it cannot be wrong for me to obtain or keep it.[70]

Now even if we follow this line of thought we may well end up subscribing to the statement that if you can do something at little cost to yourself, you ought to do it. It seems to me that, on the most natural reading of cost (you incur great cost if you are kept from having and keeping the key pursuits of your life, or something like that), Cullity does indeed agree with this thought. Generally speaking, he says that only things that are costly for me in this sense generate requirements on others to help me.[71] If so, there is no bar to my having to give up what is not costly for me to give up in the above-mentioned sense; and because there is a moral reason to help someone who needs help, I ought to give up that which it is not costly for me to give up.[72]

Yet I find Cullity's position risky, for it might, after all, justify not doing a great good for others even if I can do so at little cost to myself, and it might justify this for no good reason. Let me explain. Cullity sees a

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[69] Cullity profoundly problematizes the notion of 'cost', as we have seen in section 5.1.3 above. In our central statement, we commonly understand cost in a non-iterative way (for more on this point, see section 6.1.3 below).

[70] Cullity holds that we are obviously required to help a talented person pursue a musical career *and* that on many occasions we should (probably) feed the hungry instead of helping that person pursue this career (see e.g. p. 136). If this is to be consistent, the notion of requirement in play here cannot be an 'all-things-considered requirement', but must be something like a 'pro-tanto requirement' – although that expression is somewhat awkward, and although Cullity himself does not use it. That is, the requirement that a moral agent has to help a talented person pursue a musical career can sometimes be overridden. And the thought then seems to be that ways of life and pursuits that it is wrong for someone to have, do not even generate a pro-tanto requirement on others to help that person obtain or keep them.

[71] These are my words. For Cullity's extensive thoughts on 'requirement-grounding' goods and lives, see esp. his Ch. 9 (p. 165–166). Cf. also footnote 74, below.

[72] The idea is that in the absence of other moral reasons, this moral reason generates a requirement.

moral reason for not doing something for someone in need, *not* (1*) by appealing to direct considerations concerning cost to myself *but* (2*) by appealing to what would generate requirements on others to help me, coupled with the consideration – to which we will come back to shortly – that if a pursuit of mine generates a requirement on others, then it cannot be wrong for me to have it. Now it seems highly possible to defend a position by which others would be required[73] to help me obtain and keep rather small things that I could give up without great cost to me. These would probably be weak requirements, but they could be moral requirements nonetheless, and then it would according to Cullity follow that it is not wrong for me to obtain or keep these small things, even though to give them up for the sake of someone else would not be costly for me.[74] Cullity's position would then violate the above central statement.[75]

In those cases where a position such as Cullity's would go against this statement, would it do so for a good reason? I would say not. Cullity's countervailing reason is that (a) people are obviously required to help me obtain or keep certain things; *and* (b) if they are so required, it cannot be wrong for me to obtain and to hold on to these things. However, I would doubt at least this last element.[76] We already said above that this element is debatable: some relatively plausible ethical approaches will hold that

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[73] As before, in a pro-tanto sense of this word.

[74] True, Cullity writes:

> … what makes a good requirement-grounding … is [clearly] connected to how important the good is for the person whose interests in that good ground the requirement. If a stranger's life is threatened, I am morally required to help him; if he prefers one drink to another, not. (p. 151)

However, I do not see that Cullity provides any reason for thinking that the importance of a good is the *only* thing that can make it requirement-grounding.

[75] It might be objected that it is true enough that the second kind of appeal (2*) can only generate plausible results if one has plausible ideas about what generates requirements on others; but it might be added that, similarly, the first kind of appeal (1*) can only generate plausible results if one has plausible ideas about what is a great cost for oneself. Therefore someone who objects to appeal (2*) and thinks that appeal (1*) is defensible, fails to recognize that both appeals equally depend on the plausibility of certain kinds of judgments. This is true, but even so appeal (1*) cannot by itself come into conflict with our central statement, while appeal (2*) can. To be sure Cullity himself thinks that appeal (1*) is unviable because we should, on first reflection, take an iterative approach to cost. It is only by appealing to (2*), according to Cullity, that we can on second thoughts find grounds for rejecting the iterative approach to cost. Cf. section 5.1.3 above.

[76] I am in agreement with Brand-Ballard (2005) on this point.

you are sometimes required to help me maintain something (for example, my cognitive capacities) even though I am required to give it up, for example, I must do something that will cost me my life. A consequentialist, for one, might defend this.

However, what if it *were* correct to argue that if my obtaining or keeping something provides others with a pro-tanto requirement to help me it cannot be wrong for me to obtain or keep it? Then our argument can take two directions. Firstly, we can say that others are not required to help me obtain things that I can do without at only little cost to myself. In this case, we would not go against the central statement. The alternative is sometimes to violate the statement and to say that I am not always required to do great impersonal good even when I can do so at little cost to myself. Unsurprisingly, I would favour the first possibility. I would add, however, that to forestall the risks run by Cullity of denying the central statement, we have to be considerably revisionist, and quite emphatically so, concerning which reasons are obviously good reasons for others to help me.

To Conclude: Where We Stand

In the first section of the present chapter, we argued that the cost-based position at which we arrived at the end of the fourth chapter can be defended against a number of criticisms of it that emerge from three very important recent studies and that suggest that it is misguided or at least unfruitful. Some of the most important criticisms included: a focus on alienation rather than demandingness is indefensible (Murphy); we do not have any intuitions about the relative weight of the moral considerations generated by impersonal goods vis-à-vis those generated by personal goods (Murphy); impersonal and personal goods do not give rise to very different moral considerations at all (Mulgan); and distinguishing between these kinds of goods and the moral considerations that they generate is irrelevant for deciding what we must do (Cullity).

In the second section, we argued that these three recent studies all either deny explicitly or risk denying, for unconvincing sometimes implicit reasons, the statement that if you can do great good for others at little cost to yourself, you ought to do it. Murphy denies this statement by holding that one need not take up the slack from non-cooperators in the project of

beneficence, which he sees as a collective project. Mulgan risks denying the statement, at least in a world in which all needs are fulfilled, because he adopts a rule-consequentialist theory for dealing with goals, a theory which in a 'need-free' world is very close to contractualism. Finally, Cullity risks denying the statement by maintaining that if someone is obviously required to help me obtain or keep something, then it cannot be wrong for me to obtain or keep it.

Again, the reason why the position that we have adopted runs only very little risk of denying the central statement is that this position appeals only to impersonal and personal goods and to the thought that goods call for promotion only. So if one is to justify not doing the best one can against impersonal evils, one must appeal to personal evils that ensue if one fights impersonal evils the best one can. Moreover, it is very likely that personal evils that are by their own measure small will not do as a justification.

We can conclude that at a fundamental level, the position that we formulated at the end of the second chapter largely remains standing. The main statements on which this position can be brought are:

The Central Statement: For acts that are not greatly different with regard to the effect they have on *personal* goods but greatly different with regard to the effect they have on *impersonal* goods, you *must* choose the *impersonally* best one that you can.
The Extreme Statement: If doing a certain act instead of an alternative one makes a great difference to *personal* goods, *perhaps* you *may* always do that act. (However, as already mentioned, for acts that are not greatly different with regard to their effect on *personal* goods but greatly different with regard to their effect on *impersonal* goods, you *must* choose the *impersonally* best one.)

In Chapter 4, we made a few non-fundamental modifications to this position. For example, if one should be allowed always to avoid great cost to oneself, this is likely to imply that one may always maintain a friendship. However, once one avails oneself of this potential permission, one is probably sometimes not allowed to avoid great costs to oneself, and it may also be the case that one must sometimes not do what is impersonally best. The only *fundamental* modification to the cost-based position that we have advocated concerns responsibility-sensitivity (see section 4.1.2).

This modification is that the less someone has behaved as they should have in the past, the less, impersonally speaking, their personal goods count, and the less they offer a justification for deviating from doing what is impersonally best. This modification is important and we will come back to it later on. However, in the following chapter we will generally leave it aside, and talk about moral agents who have in the past behaved completely or at least sufficiently responsibly. We will attempt, in that chapter, to make the cost-based position more concrete. This will also bring us closer to a more concrete answer to the question of what rich individuals like us should do to fight poverty.

6 Concretization

An Outline of the Good Life, and What We Can Do at Little Cost

The position that has been developed so far is quite abstract. The aim of this chapter is to make it more concrete.[1] Section 1 will give a broad outline of a theory of the good, which it then combines with the cost-based theory of right action, that is, with the theory about what a moral agent should do that was proposed above. Section 2 will consider, more specifically, how much money rich individuals like us can give away without suffering great personal evils, as well as some of the other more concrete actions we can take without suffering great personal evils. For example, we will examine some restrictions, among others, we can heed when spending money.

6.1 A Broad Outline of a Theory of the Good

6.1.1 Some Rather Formal Remarks on the Good

We will start with some rather formal remarks about the good. Firstly, it is useful to clarify our use of the terms 'theory of the good', 'great goods' and 'great evils'.[2] By a 'theory of the good' we mean a theory that answers the question of what is necessary and sufficient for a 'good life' – the answer may be different for different people. In addition, something that is among the necessary conditions for the good life of some people is

[1] Much of the material in this chapter was previously published in Philips (2006a) and parts of it in Philips (2006b).

[2] For an overview of how the term 'good' has been used and theorized about see e.g. Bond (1992).

'a good,' or 'something that is good'.[3] It is a 'small good' if it is among the necessary conditions for a totally good life but not for an approximately good life, and it is a 'great good' if it is also among the necessary conditions for an approximately good life. Finally, 'an evil' constitutes an element of a person's situation that needs to be changed in order for them to have fulfilled the necessary and sufficient conditions for a good life. Thus, in our nomenclature, an evil is the absence of a good. An evil is small when it must be removed for someone to have a totally good life but not for them to have an approximately good life; it is great when it must also be removed for someone to have an approximately good life.[4]

We may add – immediately modifying our statement and it making more complex – that while a great good is, firstly, something that is necessary for someone to have an approximately good life, it is not merely this. It is more accurately, and secondly, something without which someone's life falls *considerably* short of being approximately good. Similarly, a great evil is something that must be removed if someone's life is not to be at a considerable distance from being approximately good. This addition will turn out to be particularly important when we go on to combine the proposal for a theory of the good life with the cost-based position developed earlier. Below, when developing a broad outline of a theory of the good, we will think of a great good primarily in the first sense just specified, that is, as something that someone needs in order to have an approximately good life. In the context of this discussion, we will not stress that an *inconsiderable* absence of a great good in the first sense does not by itself imply the existence of great evils.

The second formal remark is that when trying to develop a broad outline of a theory of the good, we will assume that the same outline can serve as an account of great impersonal goods and great personal goods. That is to

[3] Goods come in basically two sorts: goods that are preconditions for a good life and goods that are constituents of it. The distinction is not always clear and for our purposes it need not be stressed.

[4] Thus in my dichotomous usage if you fail to have an approximately good life, you suffer great evils. In other words: with all the great goods (with all the major conditions for a good life fulfilled) your life is approximately good; without some great good, you suffer great evil.

say, while every person's personal goods are not necessarily the same,[5] there are no personal goods that do not appear in the impersonal picture. In other words, we assume that by taking all personal goods together in a view from nowhere, so to speak, one arrives at what is impersonally good.[6] So if it is, for example, a good thing for person P1 to have a real choice from a decent number of capacity-realizing projects, then this is not only a personally good thing for person P1, it is also an impersonally good thing. However, what is impersonally good is not confined to what is personally good for P1, but also consists of all personal goods of all people – P1 to Pn – taken together.

Thirdly, there are many ways to determine what is good. The most common ways of doing so consider that: (1) the good is what people think is good; or (2) the good is determined in a participatory process, with an appropriate constituency; or (3) what is good can be demonstrated by a transcendental argument, that is, by appealing to something relatively uncontroversial and then arguing that some things must be good because their being good is a precondition for that uncontroversial thing to be the case; or (4) my relevant considered intuitions are my best guides to what is good.

Just like the rather abstract answer to our central question which we defended in the previous chapters, the theory of the good defended here will largely not be subjective, participatory, or transcendental. We will call our theory 'objective', because of its affinity with objective list approaches.[7] The main justification for this theory is that it corresponds with moral intuitions that are central and certain.

However, in the literature we do not only find defenders of objective approaches, but also defenders of subjective, participatory, and transcendental approaches to a theory of the good.[8] It is therefore worthwhile to briefly explain why we will not take any of these approaches.

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[5] However, the outline of a theory of the good that we will propose is still at such a level of generality that it largely applies to everyone.

[6] Thus I mean to deny Nagel's view (1986; cf. Kagan 1984) which holds that there are some personal goods which do not show up in the impersonal picture at all.

[7] It should be noted, though, that this nomenclature may be somewhat confusing, since it leads to talk of objective personal goods.

[8] Acknowledging that the literature does not always use the *exact* same approaches, and that where it does, it often uses them for a purpose other than constructing a theory of the

A subjective way of deciding what is good runs into serious difficulties, such as problems of expensive tastes and adaptive preferences. These problems are well known and need not be elaborated on here. The problems are so serious that they seem to disqualify this approach.

It is more difficult to explain the problems with regard to the second approach, which says that what is good is determined by a participatory process. How do I determine the best way to use my money when there is a conflict between my relevant considered intuitions about where it is best used (the third approach) on the one hand, and the outcome of a participatory process (the second approach) on the other? At first glance, it seems difficult to choose the outcome of the participatory process over my relevant considered intuitions here: for these intuitions give me reason to think that the outcome of the participatory process is wrong. However, let us consider some objections. Firstly, someone may object that the participatory process offers reasons or arguments too, and these say that I, the rich person, am wrong. To this it can be replied that *I* am the one who is deciding what is best for me to do, and that in *my* view the arguments that prevail in the participatory process are weaker. So how can I give precedence to the weaker arguments? Secondly, might not my own intuitions tell me that the outcome of the participatory process is the best indicator of what is good and that I should therefore respect as a guide to what is good, whatever it is? The problem with this suggestion is that it does not always seem correct, though when it does seem correct it should be taken seriously. For example, if I have no idea whether it is better for people to have an elementary education or a sewerage system, it might be best, in my judgment, to abide by their own decision. However, to always follow the above-mentioned suggestion would very likely lead us back to such problems as arise from expensive tastes and adaptive preferences. The third objection says that even if I have reasons for thinking that what is best for people differs from what they themselves think is best for them, it is still better for them to have the worse thing they could choose rather than to impose on them the things that I think are better for them. This we

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good, we can say that a subjective approach is favoured by many (welfare) economists and has important affinities with many versions of utilitarianism; that Sen, among others, has much sympathy for a participatory approach (e.g. Sen 1999); and that a transcendental approach is found in Kant as well as in, for example, Gewirth (e.g. 2003), and, to some extent, Williams (e.g. 1981) and Cullity (2004). An objective approach is favoured by, for example, Nussbaum (e.g. 2000).

may call a 'Lockean suggestion' because of its similarity to what Locke says about tolerance.[9] I think that this suggestion is right for many – but not for all – goods, when the choice is indeed between being positively coerced without having any decent alternative to have A versus having B in a non-coerced way. In such cases, it may be better to have B even if without the difference in coercion it would be better to have A. However, even if the 'Lockean suggestion' is right, it makes only a limited case for the second approach. For the idea that it is usually very bad to be coerced is compatible with the idea – which is probably a sensible one – that it is not usually a bad thing to have a limited number of meaningful options to choose from which may not include all the options that you would have chosen.

That brings us, thirdly, to transcendental justifications. These may, I believe, be part of a more extensive set of justifications, such as those we outline below when discussing an objective approach. It is very attractive to appeal to something relatively uncontroversial (often a good) and to subsequently argue that some things must be good because their being good is a precondition for the uncontroversial thing in question to be the case. For example, it is very plausible that if we see human agency as a good, we must also see those things which are preconditions for human agency as goods. Also, if we see it as a good to have a life worth living, then we must see it as a good to have the things without which we would have no reason to go on living. However, the problem with such justifications is often that they claim that only goods attained through a transcendental method really are goods, or at the very least that the goods whose goodness is established in a transcendental way are the greatest goods. This claim is frequently left implicit, and it may often be very difficult to substantiate.

I do not see similarly great problems with an objective approach. It tells us to decide what is good by relying on our central and certain (or, very relevant and critically scrutinized) intuitions.[10] Suppose that we have convinced ourselves that a certain set of intuitions about the good is both

[9] Cf. also Dworkin (2000, Ch. 6) on constitutive and additive goods.

[10] Favouring this approach is compatible with allowing for certain roles for the outcome of participation, e.g. epistemic and practical roles (cf. Nussbaum 2000): roles which tell us that we may be on the right track in our search for truth, and that we may be on the way to finding a practically viable solution.

intuitively plausible and consistent with other plausible intuitions, and that it also has plausible implications and presuppositions. Suppose, furthermore, that this set of intuitions can, if need be, be supported by arguments that go 'one step deeper'. In this case, we may declare these intuitions about the good to be acceptable.[11]

6.1.2 A Theory of the Good in Broad Outline

In the present section, we propose one theory of the good that may serve to arrive at a plausible specification of the cost-based theory of right action defended earlier. However, we will only propose a broad outline of it here as within the confines of one chapter it would be very hard to do more. We will take three main steps to reach the position that we favour. Each new step will correct the earlier steps and avoids certain problems encountered in these earlier steps. Accordingly, the theory that we end up with avoids a number of problems that alternative theories do not avoid. At the end of the process we will have what I believe to be a relatively strong theory of the good.

Our main guides in this undertaking will be Bernard Williams and Martha Nussbaum. In the *first step*, we will start with Williams, for with him we find a suggestion which is very influential across much of the con-

[11] However, one may well have problems with an appeal to relevant, considered (central and certain) intuitions, because intuitions do not offer much in the way of argument. Instead of arguing, it seems that those who appeal to intuitions simply assert that they are right, and those who disagree see things wrongly. Bernard Williams (1985, Ch. 3, esp. p. 42–43) makes a remark that can be seen as an elaboration of this point. He says that whenever people's real interests are taken to be different from what they themselves take their interests to be, we should be on our guard. In order for subjectively unaccepted interests to be called 'real' it does not even suffice, he says, for them to become accepted at some later date by the people in question; we must at the very least have an independent account of how it is that people were once mistaken about their real interests, and why they now no longer are; and we must have an account of why some people are mistaken about their real interests, while others are not. In Williams's words, what we need is a theory of error. Such a theory of error is an extremely good idea. Yet at the same time thinking about a theory of error may show the ineluctability of the approach that we defend here. For how do we know whether a particular theory of error is an acceptable one? Again, the best answer may be that it matches our relevant, considered intuitions. Even if an appeal to intuition may in some respects be unsatisfactory, it is hard to do better without it.

temporary liberal literature, and in some sense among the 'moderns' in general.[12] However, there are some problems with this suggestion, and in the *second step* I will try to show how Nussbaum can help us remedy them. Nussbaum's theory, in turn, owes much to Aristotle and in some sense to the 'ancients' in general. However, as we shall see in the *third step*, it turns out that we will also need to go beyond the synthesis of Williams and Nussbaum that we arrived at in the second step.[13]

First step: Williams states that:

> ... a man may have ... a *ground* project or a set of projects which are closely related to his existence and which to a significant degree give meaning to his life.[14]

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[12] Authors who make suggestions similar to Williams's are, for example, Rawls (e.g. 1971), Nagel (e.g. 1986, 1991), and also Scheffler (e.g. 2001, 2003), and Cullity (2004). However, Williams also criticizes Rawls and Nagel. He maintains that, speaking of projects and the like, these authors conceive of life as a rectangle to be filled in (Williams 1981, p. 12). Williams, by contrast, wants to emphasize that my having ground projects determines whether I will go on living at all. I think we can share this Williamsian emphasis if it is only meant to point out that the presence or absence of ground projects is a particularly great good or evil for me. However, in Williams it surely means more than that. We will come back to this at the end of the section.

[13] It should be stressed that Williams might well have had problems with our project of looking for a theory of the good. He makes it plain that we do not have a clear answer to the question of how an individual should live, but at most to the question of whether society should go on; see Williams (1985), Ch. 3, esp. p. 48. As I have already said, he also has certain reservations about using what I have called an 'objective' theory of the good. Even so, I think that the suggestion by Williams that we will shortly discuss provides a very good starting point for formulating an objective theory of the good. It might have been taken from others, but Williams's version serves our purposes well. As for Nussbaum, I think that I remain a little closer to what she herself wants to do. (For the contrast between Nussbaum and Williams, see Nussbaum 2003.) Also, it might be quite clear why I chose her, being perhaps the most influential neo-Aristotelian to offer certain corrections to 'Williams's suggestion'.

[14] Williams (1981a), p. 12 (emphasis in original). He considers the significance of such projects to be very deep indeed:

> Most people have many categorical desires, which do not depend on the assumption of the person's existence, since they serve to prevent that assumption's being questioned, or to answer the question if it is raised. Thus one's pattern of interests, desires and projects not only provide the reason for an interest in what happens within the horizon of one's future, but also constitute the conditions of there being such a future at all. (ibid., p. 11)

Williams singles out 'deep attachments to other persons' for special mention and says that they 'compel [a person's] allegiance to life itself'.[15] This special attention paid to relationships seems entirely justified: often, they are perhaps *the* most important part of someone's ground projects.[16]

In line with these remarks, one can at the very least make the following suggestion: *it is a great good for people to be engaged in ground projects and personal relationships to which they are deeply committed*.

Elaborating on this, we must ask a question that goes beyond Williams: should we say that it is a great good for people *actually* to be engaged in ground projects to which they are committed or (also?) that it is a great good for people to have real opportunities to be engaged in these projects?[17] If we are considering what we should do to make the world a better place – more specifically, how much rich people like us should do to fight poverty – it seems that the great good we are aiming at is people actually engaging in projects they are committed to – such as having a family, playing football, being active for an NGO, or playing the piano. However, certainly we should not force people to participate in good things, because usually being forced to engage in better things is worse than engaging freely in worse things. Therefore we should focus on providing people with (real) opportunities rather than making them actually engage in certain projects.[18]

This does not, however, resolve all the complications, because possibly there *are* a number of things which it is better to be forced into having, rather than doing without freely.[19] Moreover, we could ask whether the focus on providing opportunities is entirely justified. If the really good

[15] Ibid., p. 18.

[16] Williams does not give a definition of what a project is. One definition might be that a project is a coherent set of relatively concrete undertakings.

[17] Further clarification of the concept of 'real opportunity' – of which I will use the singular and the plural indiscriminately – will be given shortly in the present section, in the 'second step'.

[18] However, once people have become engaged in certain pursuits it *is* often necessary to shift the focus somewhat: in such cases, they will frequently have a good life only if they can go on with these pursuits. Yet even in these cases, the focus remains on freedom: see section 6.1.4 below.

[19] We might think of, for example, having certain elementary forms of education and preventive health care. Examples of goods that are preconditions for a good life come more readily to mind than goods that are constituents of a good life.

thing is for people to be *actually* engaging in ground projects that provide their life focus, one might wonder whether we should not concentrate on providing those opportunities that we know will be taken advantage of. I think that both objections are real and that a number of others could be added. Yet if, when looking for a theory of the good that can specify the cost-based theory of right action, one has a preference for something like an objective list theory (mentioned above), there is a great risk of making things worse by imposing on people what is not appropriate for them. This is a good reason for generally preferring a focus on real opportunities rather than realization.

It is important to add that this focus on real opportunities also seems adequate from a first-person perspective: if I have real opportunities to engage in projects to which I am deeply committed, I cannot plausibly complain that I suffer great evils.

The attractiveness of 'Williams's suggestion' is threefold. Firstly, it is a *unifying* suggestion: it is far too weak to call freedom to engage in ground projects and personal relationships to which one is deeply committed *a* good, for this good seems to capture *all* or at least *very many* of the most important things that are intuitively worthwhile for human beings; that is, it seems to capture all the *great goods*.[20] Secondly, although the suggestion is unifying it is *not oppressive*: it leaves room to incorporate real opportunities for both adherence to a religious tradition, maintaining strong ties with one's family, and more individualistic ideals such as pursuing one's childhood dream of travelling around the world. Thirdly, the suggestion's capacity to unify nearly all of the most important good things without being oppressive may arouse the suspicion that the suggestion is empty and incapable of saying anything substantial about the good life. However, this suspicion is unfounded. We may say that thinking about the great good in terms of people engaging in projects and relationships that they are committed to – or rather, in terms of their real opportunities to do this – is a *colourful* way to think about it: it evokes pictures of a certain kind, for example, of people dining together, engaging in the life of the

[20] Some authors more explicitly mention enjoyment and achievement as goods (e.g. Griffin 1985, Scanlon 1998, Cullity 2004). I would say that these are, in important ways, essential parts of what it is to engage in ground projects and relationships. Once one sees this, it is doubtful whether they should be added separately.

local community, helping the elderly, travelling through South-East Asia, pursuing a professional career, and so on.[21] I take the suggestion's colourfulness to indicate that it does real work in helping us imagine the necessary and sufficient conditions of an approximately good life.

However, it may now look as if we have returned to a subjective approach to the good: that is, it may seem that we now understand the good in terms of what people endorse as good. I do not think, however, that this suspicion is ultimately justified. It is true that we have allowed for the possibility that the freedom to engage in each and every project and relationship which people endorse may count as a great good, although we will come back to this shortly. However, thinking of the approximately good life in terms of projects and relationships at all is itself objective, and it provides a general and non-oppressive framework for thinking about the good life that is – as just said – not empty but prone to elicit certain concrete stories and pictures.

Second step: In short, the idea is that the main good for people is to have the real opportunity to engage in projects and relationships that are central to their lives. I have explained why this suggestion is attractive, but it also has its problems. The main problem seems to me to be this: if we look at the matter in this way, are there not excessively many great goods – and consequently great evils – in the world? If it is a great good to be able to engage in projects that are central to your life, then it seems that being able to collect expensive cars or become a movie star or a star athlete could be great goods, provided that such pursuits were central to your life. It would then be a great evil if you could not do these things. Consequently, we are back to the problems arising from expensive tastes – even though our theory of the good has, as we have emphasized, important non-subjective components.[22] We could say that what we have here is a kind of 'overcrowding' of great evils. This is a problem not only be-

[21] These are admittedly sometimes 'rich man's examples', but for that reason they prepare the way for the second step below.

[22] We are also back to problems of adaptive preferences in the sense that we could imagine people being committed only to projects and relationships that seem to leave them in many ways very badly off. This may be the case, for example, with many followers of religious sects and some poor people – and it is also the case in the Kosinski example used below. In the text our focus will not be on problems concerning adaptive preferences. Our final proposal remedies these as well as the 'outcrowding' problem.

cause it is by itself implausible but also because such overcrowding tends to be associated with what we may call the 'outcrowding' of *very* serious evils, which tend to be watered down among the multitude of great evils which we recognize. When combined with a cost-based theory of right action, a theory of the good that allows for very many great goods could, for example, lead to the conclusion that we may let someone starve for the sake of remaining impeccably fashionable.[23] If a theory of the good is to be plausible, it must concentrate more on the absence of 'abysses'. To do this, we need to make our objective, broad theory of the good more definite. At present it claims that the main good is for people to have the real opportunity to engage in projects and relationships that are of central importance to them.

To amend Williams's suggestion, Nussbaum's neo-Aristotelian approach which focuses on people's capacities, can be of great help. I will focus on Nussbaum's later work,[24] where she states that it must be a universal political goal for people to have real freedoms to develop and exercise, at least to a threshold level, a number of central capacities.[25] She names ten such freedoms, among which are:

> Life: [having the real freedom to] live to the end of a human life of normal length ... emotions: [having the real freedom to] have attachments to things and people outside ourselves ... practical reason: [having the real freedom to] form a conception of the good and to engage in critical reflection about the planning of one's life ... affiliation: A [having the real freedom to] live with and towards others ... B [having the real freedom to have] the social bases of self-respect and non-humiliation.[26]

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[23] It is true that as long as we do not deny that there are also less serious evils, and as long as we stop short of ranking some evils vis-à-vis others by applying a lexical priority ranking (cf. note 50 below), there is always some number X for which X instances of an ever so slight evil will be a greater evil than one very serious evil. However, the more a theory of the good concentrates on the absence of abysses, the larger X will have to be.

[24] Esp. Nussbaum (2000); see also, e.g. Nussbaum (1998) and Nussbaum (2005).

[25] Of course, for several of these freedoms there are limits to what one can do to realize them.

[26] Nussbaum (2000), p. 78–79. Nussbaum calls these central real freedoms to develop and exercise certain capacities, 'capabilities'. Thus a capability is not a 'capacity' but a 'real freedom'.

These real freedoms are freedoms for human beings to do or to be certain things – they are real freedoms to develop and exercise certain capacities that they have. Having real freedom to develop and exercise certain capacities means that one can develop and exercise these capacities if one wishes.[27] According to Nussbaum, in order for a person to have real freedom in this sense, certain internal states of readiness on the part of the person are prerequisites, for example, for a person to be really free, certain mental preconditions for making choices must be fulfilled.[28] Also, for a person really to be free to develop and exercise certain capacities, there must be certain arrangements in place in their environment.[29] In other words, real freedoms have certain internal and certain external preconditions.[30] Finally, to add to this a remark about terminology: if someone has a 'real freedom' to develop and exercise certain capacities, I will also say that they have a 'real opportunity', or a 'real choice', to develop and exercise them.

Nussbaum's suggestions for political universals can be of use in developing a general theory of the good which can be used in specifying the cost-based theory of right action developed earlier. When we try to combine Nussbaum's approach with Williams's suggestion we obtain something like the following: it is a great evil if you do not have real opportunities (real freedom) to pursue projects – among which relationships are prominent – in which most of your central capacities are developed to some minimum degree.[31] For example, if someone should only have the real opportunity to live as Chance did in Jerzy Kosinski's *Being There*, that is, to spend their life watching television and gardening, then this would be a great evil – assuming at least that this life does not give one

[27] Cf. also Sen (1992), p. 40; and Robeyns (2005), p. 104, where differences between Sen and Nussbaum are also discussed.

[28] Cf. Nussbaum (2000), p. 84.

[29] See Nussbaum (2000), p. 84–85.

[30] Thus if one is to have real freedom to develop certain capacities, the development cannot start from zero. Therefore it might be more accurate to speak of 'further developing' certain capacities than of 'developing' them. However, I shall for simplicity continue to speak of 'developing' capacities. Furthermore, often when I speak of 'developing' certain capacities this should be read as 'developing and exercising' them.

[31] Nussbaum thinks that there should be real freedom to develop each and every one of the central capacities to a threshold level. Alkire (2002) thinks that the real freedom to develop most capacities might be enough. I tend to agree with Alkire here – and that the interpretation of 'most' should be neither too strict nor too lenient.

the real opportunity to develop such central capacities as one's intellectual, social and emotional capacities to a certain threshold level. Note that when our aim is to develop a theory of the good, we can to some extent take into account – indeed we should take into account – that what these key capacities are can differ from person to person. When attempting to establish political universals, it may be more difficult to take these interpersonal differences into account.[32]

In adopting the suggestion that there is *only* great evil for people as long as they do not have the real opportunity to pursue projects that develop most of their central capacities to a certain threshold level, we seem to have arrived at a much more specific objective theory of the good, and one that certainly avoids overcrowding of great evils.[33]

Third step: However, at this point, unless we make two additions there is a risk of what we might call, using a neologism, a kind of 'undercrowding' of great evils, that is, the risk of very few things counting as great evils, so few in fact, as to make the theory of the good in question implausible. I will give two reasons for this risk and two additions that can help us avoid it.

Firstly, presumably, when we say that it is a great evil if someone does not have the real opportunity to pursue projects that develop most of their key capacities to a certain threshold level, we do not mean that *all* the different ways of developing these capacities should be open to them. To think that they should be is a highly implausible position, and at any rate it would lead to an overcrowding rather than an undercrowding of great evils. What is it, then, that we mean? Nussbaum speaks of the multiple realizability of central capabilities (real freedoms):

> [E]ach of the different [real freedoms] may be concretely realized in a variety of different ways, in accordance with individual tastes, local circumstances, and traditions.[34]

I fear that this may be read – though Nussbaum will no doubt distance herself from this reading – as saying that as long as in every culture there is available *a* certain more concrete way of realizing a certain more ab-

[32] However, as we shall see below, a theory of the good can also only take them into account to a limited extent.

[33] That is, if our ideas about what can count as a central capacity are not too fanciful.

[34] Nussbaum (2000), p. 105 (cf. also p. 77).

stract capacity, we can be satisfied. However, this result would no doubt be oppressive: if we do not, in *each* culture, have available a *reasonable number* of more concrete ways of realizing a certain more general central capacity to a certain degree – ways, moreover, that are appropriate to us – any talk of real freedom will sound hollow.[35]

One might say that this is an 'operationalization' issue, an issue that has to do with the provision of more *concrete* ways of realizing more *general* capacities. That could be correct, but if the thought behind this was that the issue is unimportant, I would not agree. To stress its importance I would like to refer to it as the 'redoubling of freedom': in order for there not to be a great evil, you must have a real choice from a *reasonable number* of different projects that are appropriate and through which you can develop most of your key capacities to a certain threshold level.[36] This is of course entirely compatible with, indeed it implies, the idea that you should not be positively coerced into carrying out one of those various projects.[37] To my mind, Nussbaum does not clarify the need to redouble freedom in the way just mentioned sufficiently. It is true that Nussbaum's emphasis on practical reason may lead us in the same direction. However, it only does so indirectly and implicitly.

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[35] It is not similarly true that a social setting is oppressive unless it gives you the maximum choice you could possibly have – in particular, unless it gives you a choice from as many projects that are appropriate to you as possible. Cf. Williams (1987), G. Dworkin (1989), Sen (1992).

[36] The expression 'reasonable number' should not be interpreted in a mechanical way: obviously, not only the number counts but also the quality (cf. the authors cited in the previous note). Judgment is required as to which projects are generally interchangeable and which are not, e.g. a set which includes playing football, playing the guitar and reading books may offer as much real freedom to develop certain key capacities (namely, creative capacities) as a set that includes swimming, playing the guitar and reading books, but more than a set that includes swimming, playing football and reading books. Thus the expression 'reasonable number of projects' indicates: an appropriate set of projects for developing more general capacities, where, of course, the suggestion is not that there is a one-to-one relationship between projects and capacities.

[37] By positive coercion I mean coercion not by a logical lack of options, such as 'you must either be an atheist, an agnostic or a theist', or by an empirical lack of options such as 'you can choose either to be a carpenter or a blacksmith'; rather, we have a case of positive coercion in situations where I should either do X or else be made to face grave consequences.

'Redoubling freedom' thus helps us to find a theory of the good that does not fall victim to an undercrowding of great evils, that is, to admitting too few things as great evils. But there is still another reason why our theory of the good risks an undercrowding of great evils. We have said that, in a theory concerning what are great goods, the focus should be on giving people a real choice from a reasonable number of projects that are appropriate for them and through which they can develop most of their central capacities to a certain threshold level. However, in this formulation the clause 'that are appropriate for them' might cause problems. For even in a broad theory of the good for non-political use, we will necessarily evaluate the world in relatively general terms. Taking a summer camp as an example, we will say that there are no great evils for anyone as regards their real opportunities to realize their essential creative capacities as long as there is a real choice from a reasonable number of projects that focus on creative pursuits, such as playing the guitar, reading books and playing football. Certainly in this way we gain a fair enough evaluation of how good this social setting is, but at the same time the evaluation is somewhat crude. It is easy to imagine that for a certain person the only way to sufficiently develop their creative skills is to play the piano – not the guitar, the bassoon, or the organ, but the *piano* (as recently was the case for the mystery piano man[38]); and not to play jazz, Romantic or contemporary piano, but Bach and *Bach* alone. I think this example points to an inevitable crudeness of any theory of the good, and in particular of any theory of the good focused on providing real opportunities to pursue a reasonable number of capacity-realizing projects: it can never do full justice to the differences between individuals.[39]

I believe that there is no solution to this problem, except by trying to be ever more specific. Nevertheless, the problem does point to the particular importance of providing people with means that are as generic as possible,

[38] *The Guardian* of May 16, 2005 featured an article entitled 'Do you know this man? Mystery of the silent, talented piano player who lives for his music. His rendition of Swan Lake only clue to identity of stranger found soaked by the sea.' This fascinating Tchaikovsky-pianist story was later revealed as a scam.

[39] We may, paradoxically, say that every theory is always to some extent second best. The clause 'that is appropriate for them' points not to people's own desires but to the fact that people are different and consequently that the opportunities they should have in order to be able to realize their key capacities up to a certain level will not be the same for all of them.

such as money.[40] In our summer camp example, if the piano man had been given some money he might have taken the bus to town, found a piano somewhere, and played his favourite music. Although this argument for introducing money is neither very precise as to the amount of money that people should have nor purports to present money as a panacea, it does make a clear case for the importance of money.

Furthermore, this argument is different from another that, I should emphasize, is presupposed throughout this entire section. This argument is that if it is good to have a certain thing, it is also good to have all the necessary and sufficient preconditions for having that thing. Among these preconditions, money is frequently prominent.[41]

To summarize: There is a great evil for those who do not have 1) a real choice from a reasonable number of projects through which most of a person's central capacities can be realized to some threshold level, and 2) a reasonable amount of money.[42] It is true that, for some people, neither having a real choice from a number of apparently acceptable projects nor some amount of money will actually give them real opportunities for realizing most of their key capacities to some degree. To stay with our earlier example: the piano man may have money and take a bus to town but there may turn out to be no public pianos in town. However, for most people we can say that if they have the two things just mentioned, they will have such opportunities and there will be no great evil for them.

The arguments for this broad theory of the good – which is to be used for specifying the cost-based theory of right action – are: that it is, as is 'Williams's suggestion', a non-oppressive, unifying theory,[43] capable of evoking appropriate concrete images; and that it avoids problems of the overcrowding as well as the undercrowding of great evils.

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[40] Obviously, money is only (relatively) generic as long as there is an institutional context in which it functions relatively well.

[41] Finally, since the argument might provoke confusion, we should stress that we are not of course arguing for bringing money in for its own sake. If we refrain from explaining what the money is for, this is because the money's purpose varies between individuals and thus does not admit of any explanation in general terms.

[42] To recall, a great evil for someone is a great *personal* evil for that person. As mentioned above, we arrive at the impersonal picture by considering all personal evils together.

[43] It is especially unifying, of course, as long as we do not specify what capacities are central. Frequently, it *is* of course necessary to specify this.

Furthermore, we may observe the following advantage of our account: with Williams's suggestion we were not in the position we are now in to criticize any projects and relationships. The constellations of projects and relationships liable to criticism are those that do not give people real freedom to pursue a number of concrete ways of developing most of their central capacities to a threshold level. This further advantage may admittedly imply that we have further distanced ourselves from Williams. More generally, our account probably differs from Williams in its objectivity. One way in which it is objective is that, related to what was just said, it holds that situations which allow for certain projects that people *regard* as their most important projects, do after all sometimes involve great evils. However, its objectivity also implies, on the contrary, that situations which do *not* allow for certain projects that people *regard* as their ground projects, sometimes do *not* involve evils; and here too we probably differ from Williams.[44]

6.1.3 The Outline and What We Should Do

How does the above outline of a theory of the good combine with the cost-based theory of right action proposed earlier? Let us look specifically at how it combines with what may be the two most important parts of that theory:

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[44] In connection to this, it is worth asking whether the conclusion that we arrived at in Chapter 2 does not essentially require a theory of the good that, although it is objective in that it focuses on projects and relationships, has large subjective elements in the sense that the projects and relationships which someone can never be straightforwardly morally required to give up are exactly those to which they are committed or attached. As the remarks made in the text indicate, I believe that Williams himself goes a long way in this direction. However, I do not think that we need to agree with him here in order to arrive at the conclusions of Chapter 2. I would say that if doing without a certain personal good leaves one's life in disarray – and this is so if the personal good in question is great – then one can never simply be morally required to give it up. However, doing without a certain good may leave one's life in disarray, even if one thinks it does not, or, conversely, it may not leave one's life in disarray whereas one thinks (because one feels so deeply about the good, etc.) that it does. With such an objective idea of what does or does not leave one's life in disarray (or, what is or is not a great personal good), the conclusions we drew in Chapter 2 still make sense. Indeed, I believe that they only make sense with a rather objective idea about what is and is not a great personal good.

(1) *The Central Statement*: For acts that are not greatly different with regard to the effect they have on *personal* goods but greatly different with regard to the effect they have on *impersonal* goods, you *must* choose the *impersonally* best one that you can.
(2) *The Extreme Statement*: If doing a certain act instead of an alternative one makes a great difference to *personal* goods, *perhaps* you *may* always do that act. (However, as already mentioned, for acts that are not greatly different with regard to their effect on *personal* goods but greatly different with regard to their effect on *impersonal* goods, you *must* choose the *impersonally* best one.)

At this point, it is useful to restate the conditions under which an act makes a great difference to certain goods, impersonal or personal, as the case may be. This is the case when, in comparison with alternatives, the act brings about considerably more, or less, of a good necessary for a person to have even an approximately good life.[45]

We can now combine the two theories so as to arrive at a more specific theory of right action.

(1) If you can act such that, compared with alternative acts, at least one person comes considerably closer to having a real choice from a reasonable number of capacity-realizing projects, while at the same time that act does not make a considerable difference – compared with alternatives – to your having such a real choice, you should do so.
(2) If you can act such that, compared with alternatives, there is a considerable difference to your having a real choice from a reasonable number of capacity-realizing projects, you may be allowed to do so, provided that you cannot perform an impersonally better act that has no considerably worse result for you.

Now that this more specific theory is formulated, two problems become more apparent, to which we now turn. The first problem concerns iteration.[46] Suppose that an act makes an *inconsiderable* difference to a good

[45] Cf. section 6.1.1 above.

[46] The author who discusses iteration problems most clearly is Cullity (2004). We have discussed iterative approaches to cost above in section 5.1.3. While our discussion here has a different slant, we arrive at a similar conclusion to that reached in that section.

that I require to have even an approximately good life – to provide a concrete example, it loses me a dollar.[47] Thus, it seems that I can do this act at little cost to myself, and that, according to what was said above, I *must* do so if the act is impersonally a very good idea, compared with other acts. However, we can iterate here: I can also perform a second, third, fourth or fifth act, all of which lose me a dollar, without suffering, by virtue of the loss of each extra dollar in itself, a great evil. As such it seems that I could give all of my money away without suffering any great evil. However, this is absurd.

Faced with this absurdity, we have the choice between saying that beyond a point which is inevitably somewhat arbitrary I suffer a great evil if I go on giving dollars away, and claiming that I suffer no great evil until the loss of an extra dollar is by itself a great evil for me. The latter alternative is implausibly strict: it is intuitively very clear that I suffer a great evil by giving away money long before one extra dollar by itself makes a difference to me.[48] Therefore it seems right to react to iteration problems by picking an admittedly somewhat arbitrary point and saying that I suffer a considerable loss of a great good if I go beyond this point. If this is true, we can say that I fight great evil by acting so as to avoid going beyond this point.

What, however, should this point be, beyond which to give away even a little bit would involve a great evil? If we must pick one point, it seems most straightforward to say that someone who barely has a real choice from a reasonable number of capacity-realizing projects, or even less than such a choice, suffers great evil by going still further – even a little bit. However, if so, another problem arises: if we combine this story about when I act so as to avoid great evil with our extreme statement, the result is that one may be allowed to avoid losing even a little bit in the least impersonally suboptimal way that one can, no matter how suboptimal it is – only provided that one is, before losing that little bit, on or below the point of barely having a real choice from a sufficient number of capacity-realizing projects. However, this looks like a troubling conclusion, and

[47] I take this example because it is very concrete. However, money is an instrumental good, and strictly speaking it may be better to take as an example a good that is intrinsically needed to have even an approximately good life, such as friendship. Here, an example we could think of would be an act that makes a friendship of mine marginally less good.

[48] There is a sorites paradox involved here.

even more so if we should add – and it may seem hard not to – that if we are below the mentioned point, we may be allowed to try to *gain* a little bit in the least impersonally suboptimal way available to us, no matter *how* suboptimal it is.

However, the conclusion appears less troubling, and may well become acceptable, once we realize that it only applies when there is a danger of what we have called 'iteration problems'.[49] One example of a case where there is such a danger is the case of giving away dollars if you are on or below the point where you only barely have a real choice. In such case, a somewhat arbitrary limit must be determined, because you cannot approach the issue differently without suffering considerable loss of great goods. Although the loss of a little extra money seems inconsiderable, if you start thinking about it as such, you will inevitably end up with very great costs. By contrast, I do not see that the foregoing of gains can be dealt with in a similar fashion. For, sometimes if you do not regard small losses as considerable, one loss immediately follows the previous one, and in this process you very quickly lose almost everything you have. By contrast, it is very hard to think of cases where, if you do not regard small gains as considerable, some similar process that leads to intuitively very great costs is set in motion.

The second problem to be discussed has to do with the distinction between goods that are necessary for an approximately good life and goods that are not necessary for an approximately good life, but that are necessary for a completely good life. Henceforth, when I speak of 'great goods' and 'small goods', I will have this distinction in mind, thus underemphasizing that only a considerable difference in a good that someone requires to have an approximately good life, makes a great difference to their good life. The problem now is whether the broad outline of a theory of the good provided above, which discussed great goods only, has not implicitly assumed that there are no small goods, or at least that great goods have

[49] Even where there is such a danger, it applies only if there is no impersonally better way to avoid that danger. For example: in certain situations, I could have moral considerations in favour of giving away one dollar that do not apply to the next dollar. In some such situations I could give away the dollar without it making a considerable difference to my suffering great evils, and I therefore ought to give it away. Often, however, I see no better way (and in fact, I do not see *any* other way) to avoid iteration problems than that mentioned in the text.

lexical priority over small goods, that is, that one great good will always be greater than any number of small goods.[50] If so, this may be problematic, since these seem implausible assumptions. Still, it would have clear advantages if they were true: if only great goods matter, this gives us a relatively clear picture of impersonal maximization;[51] and if there is lexical priority of great goods over small, the picture is only slightly less clear – if everyone had these great goods, only then would we begin to worry about the other goods. Despite these advantages, it may seem difficult to sustain lexical priority – let alone to maintain that there are no small goods.

Things would be less clear if we had to abandon these assumptions, but just *what* would abandoning them imply for the central and extreme statements, and how we apply them? It would imply that many (presumably very many) small impersonal evils could, added together, be larger than one great impersonal evil. Likewise it would mean that many (presumably very many) small personal evils could, added together, be larger than one great personal evil. These possibilities would have an impact on when the central and extreme statements are applicable, for example, when we can do great impersonal good at a price that is small in terms of personal goods. However, they would not undermine these statements[52] – although these possibilities do imply that the 'currency' of goods and evils need not always come down to 'having a real choice from a reasonable number of capacity-realizing projects'.

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[50] The expression 'lexical priority' has been used most influentially by John Rawls, who uses it above all in relation to a theory of right action:

> [A lexical order] is an order which requires us to satisfy the first principle in the ordering before we can move on to the second, the second before we consider the third, and so on. A principle does not come into play before those previous to it are either fully met or do not apply. (Rawls 1971, p. 38–39)

[51] Still, in this picture, there obviously remain enough problems that have to do with, for example, how to compare great evils, and with determining when there are considerable differences in great evils, and just how considerable they are. Within the scope of the present chapter it is not possible to go into such – sometimes very complex – problems. Nor is it possible to go into the sometimes very difficult problems that are posed by the issue of future generations.

[52] Actually, something quite similar to these possibilities will readily have to be conceded when thinking about how these statements function: that many changes in impersonal or personal great goods that are by themselves inconsiderable could, added together, be greater than one change in these goods that is by itself considerable.

Finally, however, even if it is implausible that there are no small goods, or that great goods have strict lexical priority over small goods, it may not be so implausible a view that great goods are very much more important than small goods, so much so that cases where an addition of small goods is larger than a great good, are quite seldom. At present, I cannot prove that this view is right, but it seems attractive to me.[53]

6.1.4 The Outline, the Poor and the Rich

The theory of the good that we have outlined can be developed further in a number of ways, such as by asking the following questions: What, more concretely, are the key capacities that matter?[54] How many of them should be developed and to what extent? and, If people have a real choice from certain projects, just how much real freedom to develop certain capacities does this give them? However, despite how important these questions are, they surpass the limits of the present chapter, which can only point to the

[53] However, to complicate matters, this view need not – and indeed must not – deny that it is important to describe goods well when thinking about whether or not they are great goods. The view described in the text will say, for example, that if having a glass of fine whisky is a small impersonal good, then it will take very many such glasses for very many people indeed before we have one great impersonal good that could possibly be greater than one person having a real choice from a reasonable number of projects etc. However, this is not to deny that an adequate description of the situation is important. Thus, it may credibly involve great evil to live a life that is totally or neurotically without stimulants. If I am having the glass of whisky as a credible ingredient in what it takes to avoid such a life, having it may credibly count as part of a great good. Cf. Cullity's discussion of 'purely episodic goods': Cullity (2004), p. 161–162. Also, Cullity thinks that some goods are great, not seen by themselves, but as part of a kind of life which is itself a great good, e.g. the life of being a concert pianist – which involves having appropriate clothes, for example; see Cullity (2004), Ch. 9. I am not sure whether this distinction between goods and lives is necessary. What is necessary to see whether something is or is not part of a great good, is to consider it under its most plausible description.

[54] As was implicitly suggested above we could, for example, concur with Nussbaum and say that some of the most important capacities are: 'to live to the end of a human life of normal length ... to have attachments to things and people outside ourselves ... to form a conception of the good and to engage in critical reflection about the planning of one's life ... to live with and towards others ...' (Nussbaum 2000, p. 78–79). Or slightly differently, some of the most important capacities are physical, emotional, cognitive and creative, and social.

direction a theory of the good should take. One question, however, will be addressed: To what extent does the above combined theory say something about how much the rich should do for the poor?

The cost-based position would tell rich individuals like us that at the minimum we should do everything about *poverty* that we can do at little cost to ourselves at least in the following situation: if doing this was the *impersonally best* thing which we could do while not incurring great costs to ourselves. It would be this best thing in any case when three conditions were fulfilled: (1) poverty is associated (by definition or otherwise) with very great evils; (2) other things are not associated with such great evils;[55] and (3) I can fight the evils associated with poverty effectively, and not less effectively than other great evils. We will now briefly look at the first two conditions, but will not discuss the third. While in section 1.4.2 we argued that rich individuals like us can make meaningful contributions to fighting poverty, it might be very hard to show that we can contribute to fighting the evils associated with poverty as effectively as, or even more effectively than, we can fight other great evils. In any case, we will not attempt to show this.

Ad (1). Often, the poor, whom we have described in section 1.3.1 above as those who lack real freedoms to do and be certain basic things, or put simply, as those who live in slums, do indeed miss out on having even approximately good lives. In many situations of poverty people are unable to avoid poor housing conditions, violence, poor health, illiteracy and unemployment; they lack real opportunities to acquire self-esteem and to avoid situations in which their families are uprooted, their emotions blunted, and they fall victim to despair – to name only some of the things we find in many shantytowns and other places of poverty around the world such as in Brazilian *favelas* (see section 1.2 above). Many poor people, then, clearly lack the real freedom to engage in a reasonable number of capacity-realizing projects, whether we look at the plausible specifications of the constituent goods of this freedom or its preconditions.

[55] We can note that it is very likely that whoever asks the very question of what rich individuals like us should do to fight poverty presupposes all along that poverty is generally associated with great evils much more than wealth. For if this is not presupposed, one may just as well ask what the poor should do to fight wealth.

Ad (2). We cannot consider all the other serious evils that exist beyond those that are often connected with poverty. We will only ask whether affluence (briefly, as also defined in section 1.3.1, the affluent are those who safely have the real freedoms that the poor lack, or in other words, those who live in middle-class apartments or mansions) is not also often associated with serious evils, possibly even with evils that are as serious as those we commonly find connected to poverty. If this were so, the case for 'fighting affluence' would be as strong as the case for 'fighting poverty'.

Actually, this question requires us to make a rather fundamental addition to the outline of the good life sketched above. We must acknowledge that if rich people have good lives, it is not seldom because they *are* engaged in projects and relationships that are central to their lives. That is to say, if they are to have good lives, it is frequently not so much necessary and sufficient for them to have a real choice from a reasonable number of capacity-realizing projects; it would often be more accurate to say that they need to be able to *go on* living as they are living, in addition to having a limited number of choices to embark on different capacity-realizing projects. However, this is somewhat an overstatement: for if one puts the matter this way, one suggests that a rich person can never abandon a project and embark on a new one without suffering a great evil. Often it is true that this is not possible, but in other cases such a change *is* possible, for example, such a person could frequently take up different pastimes or a different job.[56] In cases where this is possible, we can return to our previous formulation of what this person requires for an approximately good life – a real choice from a reasonable number of capacity-realizing projects. In cases where it is not possible to embark on a new project without suffering a great evil, someone should usually, in order to have an approximately good life, have the real freedom to go on with their current projects, and in addition have a real choice from a *limited* number of different projects. For it seems that once you have chosen to engage in certain projects and are in the course of pursuing them, in order to have an approximately good life you need less choice than someone who has not

[56] An example of something that one could not abandon without suffering a great evil would commonly be a friendship (cf. Cullity 2004, p. 155–156): someone who has become involved in a friendship cannot usually without suffering a great evil make a fresh start afterwards. However, a hobby could sometimes also be an example, e.g. if one has changed hobbies a couple of times already.

yet been able to choose, for example, a very young person, although even in such cases there is probably a need for *some* choice.[57]

We can now ask whether the conditions for having a good life are fulfilled for the rich. The answer seems to be that for most rich people these conditions are amply fulfilled. For they have such preconditions as good health care and good housing in place, and they have a real choice to engage for the first time, or to keep engaging in a number of educational and professional trajectories, and leisure activities, as well as a real choice of a number of ways in which to form and maintain personal relationships. It seems, therefore, that they have real freedom to choose from a reasonable number of capacity-realizing projects, or, where applicable, that they have the real freedom to go on pursuing their present projects, plus the real freedom to choose, within limits, different projects.

This is not to say, however, that the ways that rich people live are necessarily inspiring. Oscar Lafarge, for example, writes the following about a nouveau-riche family:

> ... we may note that the most dreary, the most utterly loveless, the most hateful, are the nouveaux riches Castros ..., a family to dismay Chekhov, to stand Zola's hair on end. ... They have achieved a North American material culture. They have a two-toned car and plumbing, they even eat a North American breakfast. At the end of the day, Señora Castro curls up with a translation of a North American bestseller. They have not entered the northern culture, they are merely uprooted ... they are sounding brass and tinkling cymbals, being without love, being true to nothing.[58]

However, we may still say that the members of this family do not necessarily lack a good life as understood above. Whether or not they lack it, depends on whether they have the relevant real freedoms: whether they could enter into one of a reasonable number of capacity-realizing projects if they chose to. As just mentioned, it is quite possible that members of this family, like most rich people, do have such freedoms.

In sum, then, it seems true that the rich usually have good lives while the poor often do not. Of course, the above brief remarks can only be sugges-

[57] This point could developed much further; but it would lead us too far from our argument.

[58] In Lewis (1959), p. xiii–xiv.

tive of this conclusion. As they may seem a little facile as they stand, let me add a couple of qualifications.

Firstly, the rich obviously do not *always* have approximately good lives: sometimes they do lack great goods. Think, for example, of those who are ill. Also, there is a real risk that the *typical* situations in which the middle-class (and even superrich) live come to lack certain things that are necessary for having a real choice from a reasonable number of capacity-realizing projects. For example, when they become involved in a work-aholic, stressful and very competitive environment. In such an environment, it is very likely that they no longer have a real choice to develop and exercise their emotional and social capacities to some threshold level.

The second remark follows closely from the idea that what is frequently most important in determining that people have an approximately good life is their ability to go on pursuing the projects that they are already pursuing. In the light of this idea, we can surmise that often, in order to have an approximately good life, it is not necessary that the poor change the projects they are engaged in or trying to engage in – perhaps against all odds and despite many hardships – such as loving, working, raising children, educating themselves and playing sport. Rather, frequently what is necessary is that they obtain the real choice to carry out those projects under different circumstances: in circumstances where there is acceptable health care, where labour and housing conditions are decent, where there is appropriate education and careers to choose from. Putting the matter this way also shows how much caution is needed when trying to improve things for those living in poverty, for not everything is bad, and while the circumstances in which the poor live *are* in many ways wretched this does not mean that it is easy to improve them, or that there is no risk of making them even worse.[59]

[59] Sometimes, for example, those who make the transition from poverty to riches experience deculturation, that is, they are uprooted, and this might sometimes jeopardize the concerned persons' good life, even if this is not always so (cf. the discussion of the quote from Oscar Lafarge, above).

6.2 The Good Life, Giving Away Money, Limitations on Spending Money, and Some Further Suggestions

In this section we are going to put the outline of a theory of the good that we have developed to use.[60] We will do this by asking how much money rich individuals like us can give away without suffering a great evil. Also, we will ask what restrictive measures we can take, without suffering a great evil, when spending money. We will end by briefly proposing some ideas that sometimes only have a marginal relationship to money. We will only make some suggestions, and they are not the only ones that may follow from our general theory of the good.[61] All the suggestions concern things which could plausibly be good for the poor if we did them,[62] and which, as will emerge at the end of the chapter, we may well be morally *required* to do.

6.2.1 Giving Away Money

It follows from the proposed theory of the good that nothing very bad is involved in giving away money if the following conditions are fulfilled: if after giving you still have a real choice from a reasonable number of projects that realize most of your key capacities to a certain minimum extent, as well as a reasonable amount of money; or often, if after giving you can continue to pursue your projects basically as you had been previously, and if you still have a real choice to pursue a limited number of other projects. Since for a rich person the conditions that have to be fulfilled after giving are usually clearly and amply fulfilled – at least in so far as this depends

[60] As will become clear, the more practical suggestions that we will treat below do not presuppose answers to all such questions regarding exactly which key capacities matter – these could follow for a fairly broad range of answers to such questions.

[61] Also, we cannot of course claim that ours is the only theory of the good with which these suggestions are compatible. Yet it is important to have in place a theory of the good with which they are compatible, otherwise these suggestions are likely to be much too speculative.

[62] For a discussion about whether giving money can be good for the poor see section 1.4.2 above; for the benefit to the poor of living within one's 'ecological footprint', see note 75 below.

on money – before giving any of their wealth away,[63] my suggestion is that these conditions will *at any rate* keep being fulfilled if they have *basically the same amount* of money left after giving some away.[64] One can disagree as to how long this remains the case, but for someone who has quite a lot of money it will certainly be somewhere between, say, one percent (which is in any case not a substantial change) and fifty percent (which is at any rate a substantial change). This is of course a very broad range, but it can be narrowed down. For what is true for one percent is also true for two, three, or five percent, it seems – these are not, for people who are reasonably well-off, substantial changes. What is true for fifty percent is also true for forty, thirty, and probably also for twenty-five percent. Thus, a good practical guideline may be that for rich people, giving away about *ten percent* of their wealth does not involve a great evil.[65] We may call this guideline *the tithe suggestion* – hoping to avoid the undertones of taxation that the word 'tithe' easily evokes.[66]

In relation to this suggestion, let us consider some objections which argue that rich individuals like us usually cannot give away ten percent of our money without suffering some great evil. Firstly, suppose that someone professes to already paying heavy taxes, and that therefore they will not have approximately the same amount of money left after giving even more voluntarily, and that thus they may suffer evils by proceeding in this way. The implicit claim in this objection seems to be that when considering whether I have made myself 'worse off', I should compare the amount of money I have left after giving money away with the amount that I would have if I paid no taxes. In reply, we can say that our claim concerns not the pre-tax amount, but the post-tax amount: the claim is that

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[63] The most important group in rich societies for which they may be not clearly and amply fulfilled – at least, to the extent that this depends on money – may be constituted by those who are in such societies called poor or nearly poor, such as single-parent families on welfare, and chronically ill people living on social assistance.

[64] When speaking of someone's money, I think of their combined income and assets. In speaking about 'their' money, I will not problematize the possessive talk concerning the ownership of money.

[65] This guideline remains standing if one takes a closer look at how most rich people spend their money and how much they can and do save. However, I will not try to show this here.

[66] Singer (1993, p. 246) is one author who also suggests that we should at least give tithes; but his arguments for saying so are very different from the those presented in this study. Cf. also note 84 below.

for most rich people, the conditions for having a good life are, in so far as this depends on their finances, amply fulfilled even after they have paid taxes.[67]

Secondly, suppose that someone claims that they need all their money to be able to maintain their self-respect. It may seem possible to reply that self-respect should be a by-product of having everything else that is needed to have a good life. If so, having self-respect would not require having any extra money at all. Sometimes, however, it does seem to be the case that even reasonably rich people can claim with good reason that they do need all their money or even more to maintain their self-respect. In some societies, for example, self-respect crucially depends, for the rich at least, on the ability to give gifts. The point is that it is not usually credible for the rich in contemporary Western societies to claim to be in such a situation.

Thirdly, what if someone claims that: 'I've got used to (a constellation of) projects that require all my money; therefore to give away *any* of it involves great evil for me.' Here, the answer would be that as a reasonably rich person, I have appearances against me, because I have so much more than what we would generally and in good faith regard as necessary to give someone a real choice from a reasonable number of projects that realize most of their key capacities to a certain minimum extent, as well as allow them to have a reasonable amount of money.[68] Even so, for some of the relatively expensive projects in which I have come to be engaged it *is* plausible, as we saw above, that giving them up involves great evils for me. However, if we grant this, it does not follow that it involves great evils for me, as a rich individual, to give tithes. For it is plausible that I can give tithes without suffering any great evil even if something more extreme is granted, namely that, in order to have a good life, I must be able

[67] Incidentally, in a country where tax paying is reasonably well enforced, and where I do not really have the choice not to pay tax, it is not plausible to cast paying taxes as 'making oneself worse off in financial terms'.

[68] This is so for a number of good-faith specifications concerning which key capacities and what level of them matters. One specification might be: having a real choice from a number of educational and professional trajectories, and having a real choice in how to form and maintain relationships and leisure projects. In addition, there would of course have to be a real opportunity to have adequate housing and adequate health care, as well as other things that are preconditions for really being able to choose from a number of appropriate projects and relationships.

to go on living as I do now. Even then, I can give tithes without suffering great evils, for I cannot really make myself believe that I need all my money to go on living as I do now; at most, a lifestyle of a reasonably rich person grows and is attuned to certain *approximate* amounts of money, not to *exact* amounts, and the rich person who complains that they would suffer great evils for absolutely everything they give away, should also complain that they had too little money to begin with. In sum, these objections to our claim that rich individuals like us cannot usually give tithes of our money, are not convincing.

Perhaps objections that argue that we could easily give *more* than ten percent of our money are more convincing. If the conditions of a good life – on the above outline of the good – are usually clearly and amply fulfilled for rich people before they give anything away, they will clearly still be fulfilled not only after tithes have been given but, one may think, in a number of cases also after tithes of the remaining ninety percent have been given: often, iteration is plausible, or, put more simply, we can give far more than ten percent without suffering any great evil. We can simply keep giving as long as, after giving, we still have a real choice from a fair number of capacity-realizing projects, and a reasonable amount of money; or, as we should say in many cases, as long as, after giving, we can still engage in our projects as we had before, and we retain a real choice of engaging in a limited number of different capacity-realizing projects.

However, reasonably rich people could object that they cannot give more than ten percent without suffering great evils. Firstly, they could say that they suffer great evils if they cannot go on living as they do at present, and that to continue living in this way they need approximately the same amount of money as they now have. As mentioned above, the maximum that they can give while keeping basically the same amount of money is about ten percent. This argument has a couple of weaknesses.[69] To begin with, it is sometimes true, but not always, that someone must, if they are not to suffer great evils, have the real freedom to continue pursuing the projects that they are now pursuing (see section 6.1.4 above). In addition, it is sometimes true that someone cannot continue to pursue these projects without spending approximately the same amount of

[69] As we shall see in section 6.2.2 below, we must strongly hope that this argument is in some respects considerably wrong, otherwise we live in a tragic world.

money, but this is not always true: consider, for example, the amount of money that one is spending on one's friendships.

Secondly, someone could protest that while they could give more than ten percent of their money away without suffering a great evil *now*, it could not be done without suffering great evils in the future.[70] Whether this complaint is justified depends on which ways of dealing with risk are justified. This is a large and complex topic which we cannot even begin to discuss here. However, we may suggest that it is very plausible to say that someone's future good life is in jeopardy if they do not have available a number of absolute arrangements for the case of future adversity – such as a moderate sum of savings and certain insurances. By contrast, it is not nearly so cogent that such a person's future good life is in danger if they have less money than they could have or would have had in other circumstances, for instance, in circumstances in which they had not given any money away. Although having less money than otherwise, through giving some, may on some future occasions indeed harm a person – at least, in a case where they have substantially less – it testifies to a very risk-averse attitude if one uses this consideration to argue that their future good life is endangered by giving away substantial sums of money. It is, I believe, more defensible to hold that it is not put in danger as long as certain absolute provisions (such as insurances) remain in place. If so, considerations about someone's future good life will often not succeed in showing that they cannot at little cost to themselves go beyond giving tithes.[71]

There is a third objection that argues that rich individuals like us might not usually be able to give away more than ten percent of our money without suffering great evils. This objection is that if we do not maintain the ten percent line and go further, we might soon find ourselves searching for the cheapest ways of having a real choice from a decent number of capac-

[70] Why are we able to give tithes at all without suffering serious evils in the future? I would think that this is not only because of the reason indicated in the text, i.e., that we can do so while still having certain absolute provisions against future adversity, but also for a reason that looks at the matter in a relative way: as long as you do not have substantially less money after you have given some money away, you do not become substantially more vulnerable to future adversity. This is untrue only for those who are already poor, or almost poor, before giving away any money.

[71] Perhaps the idea of certain absolute provisions could also be used to specify what one must be able to do for one's friends or kin if one is not to suffer great evils. However, I will not pursue this topic further here.

ity-realizing projects that are appropriate to our individual case (or to remain engaged in certain capacity-realizing projects). Such an endeavour to 'do it on the cheap' – or rather, as cheaply as possible – probably does involve evils: almost every project engaged in has an alternative that is cheaper; instead of engaging in the project of playing the piano, you could play the guitar, or the flute, or you could sing. However, it becomes very oppressive to always be looking for the cheapest ways of developing capacities. Therefore we should say that if some arrangement seems, at first sight, to give you a real choice from a reasonable number of projects that realize certain central capacities – for example, social, emotional and cognitive capacities – and that are appropriate to your individual case, then we should say that on second thoughts such an arrangement does not do so if the projects it gives you a real choice from involve only the cheapest way of developing these capacities.[72] We should also say this with regard to being restricted to choosing what are *almost* the cheapest ways of developing your capacities. Indeed, we should only refrain from maintaining this if a constellation of projects also includes projects that are, from the viewpoint of their price, impersonally *very* much more sub-optimal than other alternatives.

However, all this does not necessarily demonstrate that rich individuals like us cannot usually give more than ten percent of our wealth without suffering great evils. For it is *imaginable* that we consciously and with great success avoid having real choice only from the cheapest alternatives that give us what is good for us and still give away more than ten percent of our money. Yet there *is* something to be said for the above-mentioned considerations showing that we cannot go beyond a tithe: it is quite plausible that if there is no fixed percentage – say ten percent – beyond which we need not give, there *will* often be a temptation to restrict ourselves to choosing only the cheapest alternatives. For, whenever more money is spent than strictly necessary, the question easily arises concerning what the money could have done for other people instead.[73] This may show that

[72] Another way to put the point is: if a certain way of specifying a real choice from a reasonable number of capacity-realizing projects which seems initially plausible turns out to involve doing things on the cheap, then this exposes it as intuitively so oppressive that it, on reconsideration, cannot really specify a real choice from a reasonable number of capacity-realizing projects.

[73] This would remain a problem even if a decision-procedure is adopted that is by itself not intrusive, such as making daily decisions on the basis of thorough periodic reflection.

a percentage or other proportion beyond which we need not go should be determined.[74]

Yet why should the percentage be ten percent? We could say: because ten percent has a rationale. The rationale for giving ten percent would be that this is more or less the maximum you can give and still have substantially the same amount of money left, and that with rich individuals for whom the conditions for having a good life are clearly and amply fulfilled (at least in so far as it depends on money) before they give anything away, these conditions will at any rate still be fulfilled if they have more or less the same amount of money left after they have given some away.

The weakness of this argument is that there may be other percentages (or demarcations very much like percentages) that have a rationale as well. Still, its strength is that, whereas the case for choosing ten percent seems clear, it is not easy to see what could be said in favour of a different percentage or something similar.

The conclusion is that there is a case for rich individuals like us usually being able to give tithes without suffering serious evils. We may even be able to give *more* without suffering great evils. However, it is plausible that it involves great evils if a percentage, beyond which we need not go, is not determined. There is a rationale for giving ten percent, but it should nevertheless be stressed that, for rich individuals like us, giving tithes is usually *only the very minimum* we can do – as far as giving money is concerned – without suffering great evils.

6.2.2 Restrictions on Spending Money

Let us now consider two restrictions to spending that could have good consequences for the poor, and that could be observed without any great evil being involved for the spender.

The first, which is connected to money in a rather indirect way, can be called the 'ecological (or ecological footprint) point'.[75] It is beyond doubt

[74] Talk of the need for 'determining' a percentage is of course not meant to suggest that the same percentage should apply to everyone and no matter what. What it refers to is the need for a *clear limit* (in terms of a percentage or something similar) to what we have to give, so that we are kept from chasing the cheapest alternatives.

[75] It may initially not be clear why living within your ecological footprint as we will define it could help the poor. (By, contrast, for such suggestions as paying tithes and buying fair

that if someone acted only in ways that would minimally damage the environment (or make for maximum 'sustainability' and the like), they would be very seriously limited in what they could do – to such an extent that these limitations would involve serious evils for them. However, perhaps this would not the case if they could choose from actions that only damaged the environment to a modest and limited degree; for, many actions would still be open, and it is possible that no great evil would be involved.

Can we say something more about the situation in which not being able to burden the environment to a certain extent involves a great evil? Suppose that we could give the same answer to this question for every human being: not to be able to burden the environment to at least size X involves a great evil. As such, we could say that in a sense we lived in a tragic world if size X were bigger than the size of one's ecological footprint, where the ecological footprint is defined as the maximum size of environmental burden that would be sustainable (for ecological survival) if every human being imposed such a burden. We *hope* that we do not live in a tragic world in this sense, and thus that size X is at most the size of our so determined ecological footprint (or, to be precise: at most the size that our ecological footprint would be even if the world's population were considerably larger than it is now). In other words, we *hope* that it does not involve a great evil to be able maximally to burden the environment as much as the size of our ecological footprint.

Why would our hope be *real*, and could we thus say that we would not suffer a great evil if we lived within our ecological footprint, with the restrictions on spending money that this involves? It seems real because the development of our key capacities, such as our cognitive, emotional and social capacities, often does not require very many material goods. For example, to exercise your cognitive capacities you do need materials such as pencils and paper, as well as materials that sustain the preconditions for your exercising your skills, such preconditions include your being healthy

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trade products – see below – this *is* initially clear, although it is controversial how much good – if any – these actions do in the end.) My idea is that living within one's ecological footprint could really help the poor, because doing so could be a real and forceful inspiration for yourself and others to get serious about moving towards a world where everyone, including the poor, has a good life. If the size of the ecological footprint produced by your lifestyle is bigger than what it could plausibly be in such a world, you might well – even if you speak differently – be quite happy to leave things as they are.

and well-fed, for example. However, all this does not usually involve *very many* material goods. Therefore, most people can have a real choice from a variety of projects that develop most of their key capacities to a certain threshold level while their environmental burden is at most the size of their ecological footprint.

We should acknowledge, however, that our hope is not real for everyone: some people's personal key capacities may, at times, be such that they could only be developed to a threshold level through projects that excessively consumed material resources, although I find it hard to think of an example here,[76] or some people may only be able to survive an illness by receiving very effective but very environmentally burdening treatment; or someone may hold a high public office that requires them to fly around the world. It is hard to deny, then, that there are some people for whom to operate within the confines of their ecological footprint *would* entail great evils; but their number does not appear to be overwhelmingly large.[77] Yet because there are such people, our hope must be that for the rest of us it does not involve great evils to be able only to burden the planet somewhat *less* than the size of our ecological footprint.

Still, this may seem too much to hope for. For one may think that very many rich people are engaged in pursuits that are extremely ecologically damaging, yet which they could not abandon without suffering great evils. Our firm hope must be that this is not so and that we can conceive of an ecologically sustainable arrangement that makes a good life possible for everyone. And this hope could be real: the rich could abandon a number of their pursuits without suffering great evils, and those they cannot abandon could often be carried out in less ecologically destructive ways.

I will very briefly mention a second restriction that rich people like us could heed when spending money, without suffering great evils: the fair trade suggestion. As said above, it seems that it does imply great evils always to be restricted to choosing the cheapest ways to develop most of your key capacities to some extent. Yet even if doing this implies great

[76] However, a complication to which we will come in a moment, is that it appears that certain people need, in order to have good lives, to be able to go on pursuing the ecologically damaging, capacity-developing projects they are now pursuing.

[77] It seems to me that we must be extremely wary of those who quickly claim to be among these people themselves.

evil, it may involve *no* great evil to only be able to choose those ways of developing your key capacities that are, for a range of reasons *other than* their price, the least impersonally suboptimal ones available to you. For example, it may involve no great evil only to have a choice to buy products that are in some clear sense fairer than conventional products, which are by many standards not so fair, as long as there is at least enough choice within the category of fair products, and as long as the price differences between these products and 'conventional' products are not too extreme. So we venture the practical and important idea that rich individuals like us can sometimes buy fair trade products only, and often buy *many* fair trade products without suffering great evils.

To finish I would like briefly to say something about how the above suggestions can be combined. It seems that often we can abide by several of them at the same time without suffering any great evil. For example, we can give tithes of our money *and* live within our ecological footprint. We can live within our ecological footprint *and* buy fair trade products. Sometimes, however, we may well suffer a great evil if we combine the suggestions. Suppose that it was plausible for someone to be able to give tithes without suffering any great evil, but that they could not give more – although as stated above, for most rich individuals it may well be the case that they *can* give more. Then it may involve a great evil for such an individual – who *cannot* give more – to buy fair trade products *in addition*, for these are more expensive. They may of course spend part of their tithe on fair trade products, and this may often be a very good idea as far as impersonal goods are concerned.

6.2.3 Some Further Suggestions

There are many more things – not always closely connected to money – which rich people can do without suffering any great evils and of which it is plausible that they are beneficial to the poor. One important suggestion is that we rich individuals could also give tithes of our *time* without suffering a great evil. However, then again, one may have doubts about whether we can. For if we recall, the idea that rich individuals like us can give tithes of our *money* without incurring great cost was predicated on the assumption that if the preconditions for our having an approximately

good life, are at present clearly and amply fulfilled for us, at least in so far as this life depends on money, they will at any rate still be fulfilled as long as the amount of money at our disposal does not change substantially. However, if we are not considering money but time, it may be thought that in our hurried age, and due to factors beyond our control, we do not have enough time to have a real choice from a reasonable number of capacity-realizing projects, for example, we often have no real choice to have rest and tranquillity, while these things may be necessary for developing and exercising our emotional capacities to some minimum extent. In so far as it is credible that objectively we do not have enough time – rather than only thinking that we do not have enough, or over-loading ourselves – it is plausible that we cannot give tithes of time. However, the weakness in this line of thought seems to me to be that it is not always objectively true that we do not have enough time. Often, though not always,[78] we create our own time shortages. If it should be objectively true that in our own time and place we amply have the time needed for having a good life, then we can say that we can at least give that part of our time without which we do not have substantially less time left, that is, about ten percent. Many of the arguments that we discussed above in relation to money which argue that we cannot give as much as ten percent, or that we can give more without suffering serious evils, can be repeated in relation to giving tithes of our time; but for brevity's sake we will not do this.

What ways of spending our tithes of time and money would be very good for alleviating poverty and, more generally, be considered good from an impersonal perspective,[79] is a separate question. Let us suggest, very briefly and absolutely not exhaustively, some ideas. As far as money is concerned, these ideas may also help to counter the suggestion that when we speak of giving money, we simply think of money transfers. Firstly, we could for example spend our time and money trying to figure out how to live within our ecological footprint, and then put into practice what we

[78] To be sure, there may be *some* objective aspects to the hurriedness of our time. For example, Marvin Harris shows that in present-day Western societies, people with full-time jobs (he does not even seem to consider women who work *and* raise a family) work many more hours a week than many hunters and gatherers did (1993, p. 253–254). Yet we should not too readily assume that everything is objective here.

[79] For the connection between poverty and impersonal evils, cf. section 6.1.4 above.

have found out. Similarly, we could try to figure out which consumer behaviour is impersonally the best, for example, which products are fairest, and then adopt that behaviour.

Secondly, we could spend our time and money lobbying for structural reform, for virtually no one disputes the great importance, impersonally seen, and more specifically for the fight against poverty, of good and just institutions; and our contributing to bringing them about may be one of the impersonally best ways to spend our time and money.[80]

Thirdly, and connected to the previous suggestion, in terms of impersonal goods, one of the best things we could do in some situations may be to support and vote for a political party that has a good programme to fight poverty.[81]

Fourth, however important structural reform is, the importance of directly assisting people in need, among whom are poor people, should not be neglected either. We could assist them, for example, by doing practical things, and by simply and more generally living and interacting with them. Because it is often relatively clear here what you can do and how much good it does, such actions might often be the best we can undertake against poverty, as well as impersonally the best, or nearly so.

It is not as if the above-mentioned ways of spending our tithes of time and money do, by definition, come at little cost to us as long as they do not take more than tithes of time and money. It is so obvious that there are ways of spending a small part of your time and money that do come at great cost to yourself that we do not need to elaborate here. In the case of voting, for example, there may be great costs to yourself depending on the measures proposed by a political party that have, in all likelihood, an influence on the provisions that are necessary for you to have an approximately good life. However, things such as developing consumer responsibility, working for structural reform and helping a neighbour in need can usually be done to a great extent in ways that do not cost you a great deal.

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[80] Cf. section 1.4.2 above for discussion concerning the question whether our contributions can be meaningful.

[81] Of course, political parties want many things. What is proposed here is that you could have your voting behaviour guided by how their programmes, on expectation, further the impersonal good. In the picture of impersonal goods, poverty may play a very important role.

6.2.4 What Others Say and Where We Differ

In the literature, most discussions about the question of what rich individuals like us ought to do about poverty or about a similar question remain relatively silent about what we should do *more concretely* to fight poverty.[82] Among the most notable exceptions are Peter Singer, Peter Unger and, very recently, Garrett Cullity. In this section I briefly discuss some of their concrete suggestions, and how these suggestions relate to those that we have made.

Singer and Unger are ultimately act consequentialists, and some of the concrete suggestions they make are accordingly radical.[83] Singer argues that we should not spend any money on luxuries such as eating out, and that an American family with an income of US$50,000 ought to give away about US$20,000 a year.[84]

Unger embraces the relatively general idea that:

> [b]y sending funds to the most efficient loss-lessening programs, you must incur financial losses up to the point where going further will be unproductive, overall, in lessening serious losses.[85]

He thinks that this idea quite clearly implies that we should not have a nice home, a nice car, or expensive holidays.[86] Furthermore, Unger writes that philosophers, as one example, should, in addition to becoming politically active, look for other jobs where they can make more money to give away, and only if this is completely impossible should they be allowed to stay in the philosophical profession; but then they should con-

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[82] This is true for Williams, Rawls, Nagel, Scheffler, Kagan, Scanlon, Murphy and Mulgan, among others.

[83] Still, these suggestions might be less radical than their act consequentialist position really requires.

[84] In Singer (1999). Elsewhere, Singer proposes that people should give ten percent of their money. However, this is mostly meant as a suggestion for the purpose of being publicly advocated, although Singer does not always seem perfectly consistent here. In any case, he does not want to suggest that it is all right not to give more. Cf. e.g. Singer (1993), p. 246, and, more clearly, Singer (1999).

[85] Unger (1996), p. 145. Neither Singer nor Unger deny the importance of structural reform yet pay relatively much attention to giving money – just as the present study does.

[86] Ibid.

centrate on those areas which can be expected to have the best results (Unger mentions applied ethics).[87]

The present study will come to less extreme conclusions, at least if we focus on the extreme statement – that is, on the statement that we might be allowed to avoid great costs to ourselves if we avoid them in the impersonally least suboptimal way that we can. However, as we have said in Chapter 2, from our position there is no more justification for this extreme statement than for another, also extreme statement: that is, that we may only be permitted to deviate from doing what is impersonally the best if we can avoid great personal evils at small impersonal cost. If we were to focus on this latter statement, we would end up very close to act consequentialism indeed. However, even if we focus on the former statement – as we have mainly done in the present chapter – Singer's and Unger's concrete suggestions provoke reflection. They should make us ask whether, for instance, we really have to include our preferred profession among those projects from which we must have real choice if we are to have a good life. Similarly, their position may urge us to consider whether sticking with a chosen profession is really necessary in order to avoid having a bad life. It is very likely that we should be stricter with ourselves than we usually are, even on the most lenient translation of the cost-based position.

We now turn to the concrete proposals made by Garrett Cullity. They are interesting, being relatively well worked-out, and also as they are derived from a moderate proposal which in some ways may be closer to our own proposals than to those of Singer and Unger. Although Cullity says that '[f]or many … forms of personal spending, it does not make sense to offer … neat judgements',[88] he ventures that some very concrete implications will apply to almost everyone:

> … buying expensive clothes or furniture, a new car (or often, any car at all), or books for a private library is usually morally wrong, as the world now stands.[89]

[87] See ibid., p. 151–152.
[88] Cullity (2004), p. 184.
[89] Ibid., p. 183.

However, he thinks some forms of spending money are acceptable for virtually everyone, such as:

> … spending on one's own education, including the kind of expensive tertiary education that is available to relatively few people, globally speaking.[90]

We could – taking some distance from Cullity – understand these statements as assessments of the things that are and are not involved for people in having a real choice from a reasonable number of capacity-realizing projects, or as assessments of the pursuits people could or could not abandon, if they were presently engaged in them, without suffering great evils. As such we would probably mostly agree with them. However, there may be some disagreement as well. For example, some forms of education seem to go beyond what is necessary to develop certain capacities to some plausible threshold level (while certain material things and personal possessions *are* needed for this development, as Cullity would agree).[91]

Finally, we mention two further points where our position tends to disagree with Cullity's. Firstly, Cullity thinks that we must choose a cheaper good that is not substantially worse for us over a good that we now have – although he acknowledges that in the case of some goods, which he calls 'commitment goods', friendship being an example, we cannot find a substitute that is not substantially worse. By contrast, I believe, as said above, that confining ourselves to choosing the cheapest alternatives is *itself* a

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[90] Ibid., p. 183–184. Cullity goes on:

> For it is almost always reasonable to believe that this [tertiary education] will substantially advance a person's understanding, achievements, and participation in a culture, throughout her later life. If so, it will be defensible, in virtue of the life-enhancing value of these goods. The same argument would appear to justify spending on private tuition and equipment to develop an outstanding sporting or musical talent. (ibid.)

and later continues:

> … expensive musical lessons (or instruments) for the talentless seem hard to justify. However, up to point, it seems sensible to see tuition in music, drama and other arts as making an important contribution to the goods of understanding and participation in a culture, even for the talentless. (ibid.)

[91] Generally, the kind of assessments that Cullity makes (and the alternatives to them that one may propose) show that any theory can only very imperfectly capture individual cases. Surely one will have a tendency to feel that one's own case is inadequately treated by the theory, but obviously such a tendency should be treated with a degree of suspicion.

way of going about things that involves great evils.[92] This is compatible with saying – as a plausible concretization of the cost-based position may well do – that without suffering great evil we can restrict ourselves to choosing, from a number of alternatives, only those that are not excessively expensive; and it is also compatible with saying that we can, without incurring great costs, restrict ourselves to choosing only alternatives that, for reasons other than their price, are impersonally the best or least suboptimal choices. Buying only fair trade products is in many cases a very important example.

Secondly, Cullity says:

> Protecting the various ... commitments that I can defensibly pursue will give me a reason to seek financial security, and if I do not indefensibly spend the money I have invested once I have cashed in the investment, then there is no objection to raise.[93]

We have also said that it would involve great evil not to be able to make certain provisions for the sake of your future good life, and that one of these provisions is to create a certain buffer by saving – or investing. However, Cullity might give the strong impression that all that matters is what we spend the money on, and that there are, by and large, no problems with saving or investing the money. Against this, it could be objected that it does plausibly make a difference whether I give now or in twenty years, for example. For unless I can at present really not do very much good *and* I have very good reasons to expect things to be different in the future, it *is* usually likely to be better to give now as no one can predict the state of the world in twenty years time.

To Conclude

In this chapter we have tried to make the abstract cost-based position more concrete by proposing a theory of the good, and by proposing some mea-

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[92] This is not only so if we have to continuously deliberate in terms of what is cheapest. It is also the case if the outcome of deliberation (which could take, for example, the form of periodic evaluation) told us always to choose the cheapest way to develop certain key capacities. Cf. Cullity (2004), p. 181–182.

[93] Ibid., p. 185. Cullity qualifies this statement by acknowledging that some forms of investment are morally objectionable.

sures that rich people can take without suffering great evils, for example, how much money they can give away. Often the chapter has been inchoative. For example, we have not striven to defend more than one outline of a theory of the good, or to defend it exhaustively. Furthermore, the concrete suggestions about what rich people like us can do for the poor without suffering any great evil – again without aiming to be exhaustive – ventured into a relatively uncultivated area. This may be true, for example, for the proposal about how much money rich individuals like us can usually give away without suffering great evils, that is, the suggestion of tithes, and it is also true for the proposals about which restrictions on spending money we can usually observe without suffering any great evil, that is, the ecological footprint suggestion and the fair trade products suggestion.

Finally, let us return to our questions: when *ought* we do what we *can* at little cost to ourselves? and, Is what we ought to do something that we ought to do about *poverty*?

With regard to the first question: there is, remaining with the cost-based view, at any rate a great chance that we ought to do certain things that we can do at little cost to ourselves if the following conditions are fulfilled: in so far as we can at little cost to ourselves, they do the job of (1) very effectively fighting (2) very great impersonal evils. (Here a reminder should be added: the cost-based view, as we have stressed numerous times, does not assert that we may straightforwardly always avoid great costs to ourselves. If we should not be allowed to do this, then the reply just given should be modified by substituting for 'little cost' the level of cost that we must assume.)

Considering the second question: when does all this tell us something about what we ought to do about *poverty*? It does at least in the following case: when poverty is associated with some of the greatest evils on earth, and if we can fight poverty more effectively – or in any case not less effectively – than we can fight other great evils. As said, it is hard to determine whether these conditions are fulfilled. However, for some acts that fight poverty, such as buying fair trade products only, it may well be the case that they fight very great evils quite effectively, and this takes us some way towards demonstrating that, at the very minimum, we ought to perform such acts as long as we can at little cost to ourselves.

7 Conclusion

Affluent in the Face of Poverty

To conclude, we will first summarize the study, its question and approach, the road it has travelled, and where that road has taken us both generally and more specifically. We will end with some remarks that take us beyond the study.

7.1 Summary

7.1.1 The Question and the Approach

The central question of this study was what rich individuals like us should do about poverty. We have also been concerned with some more specific questions: morally, how much money should we spend on fighting poverty, and what restrictions, among others, should we heed, in the light of poverty, when spending money?

In this study, we call poor those who lack real freedoms to do and be certain basic things, such as being safe, being well-housed and receiving a good education; and we call rich those who can safely enjoy the real freedoms that the poor lack. The question of what rich individuals like us should do morally to fight poverty asks what kind of behaviour on our part with regard to the poor would be acceptable to someone judging it from an external point of view.

Many things may influence the answer to this question, for example, what we *can* effectively do to fight poverty, and what other good actions we can effectively take. However, when asking what rich individuals like us should do about poverty, we probably most need clarity about such questions as the following: Must we always do whatever does the most good? or, Should we only do the most good that we can do while avoiding

great cost to ourselves? or, Do we only need to do a fair share in a co-operative scheme which would eradicate poverty if everyone did their share?

Answers to such relatively general questions were likely to supply the major elements of the answer to the central question of this study – what rich individuals like us should do about poverty. Thus, much of the study has focused on examining important moral theories, which are the main forum where such relatively general questions are addressed, and where often very different answers to them are defended.[1]

With this as our starting point, we began by investigating the case for the most 'mesmerizing' of major moral theories: consequentialism. This theory tells us that we must do morally whatever has the best results. In practice this means that in many situations, and quite possibly also in our own current situations, we must do a great deal to fight poverty. We found that consequentialism has a certain attractiveness. However, we subsequently investigated whether consequentialism must nevertheless be modified, or abandoned altogether in favour of an alternative position, in the light of certain criticisms that can be made of it. These criticisms often, but not always, came from alternative moral theories. We will now survey the road we travelled, by providing a summary of the different chapters of the study.

7.1.2 Summary of the Chapters

Chapter 1 provides an introduction to the study. In Chapter 2, we began by considering the case for consequentialism, a theory that claims that morally we must always do what has the best results. We argued that a number of endeavours to make the case for consequentialism are unconvincing. One could, as Peter Singer and Peter Unger do, try to argue for consequentialism by appealing to concrete cases; but if this way of arguing is to make the case for consequentialism, it will be extremely

[1] In addition, we were drawn to engage with general moral theorizing because if we had restricted our discussion to only one aspect of morality – for example, to beneficence or justice – we would not, after all, have found an answer to the question of what rich individuals like us should do morally about poverty, as those unconsidered aspects of morality might lead to very different – possibly much more extreme – conclusions concerning what we ought to do.

complex, having to appeal to very carefully constructed and well-combined cases, and this very complexity makes it unconvincing. We have argued that other attempts to make the case for consequentialism, by Samuel Scheffler, Philip Pettit and Shelly Kagan, are also unconvincing. This is because alternatives to consequentialism are barely examined or because, on the contrary, while the alternatives are extensively criticized, the consequentialist position itself is left entirely unexamined. We have ventured that a credible case for consequentialism could be built, in large part, on the following ideas, which to fully develop and defend would take us into meta-ethics and metaphysics: firstly the monist idea that, for the purpose of answering the question of how we should treat others, there is ultimately only one relevant kind of things in the world which could plausibly be described as being goods; and secondly, on the idea that there is a close – albeit not necessarily conceptual – link between something being good and it calling exclusively for promotion.

If consequentialism does in the end turn out to be attractive in a certain way, the question of whether it should nevertheless be modified or abandoned still arises, due to certain problems. In the second part of Chapter 2 we asked whether consequentialism must be modified or abandoned because what it demands the moral agent to *do* is in some sense too costly for them. We considered Bernard Williams to be one of the main critics who argues in this broad spirit. Williams may be read as pointing out that there is something wrong with a moral theory that – as consequentialism does – sometimes categorically requires someone to give up the things that make their life worth living in the first place, although it is also indefensible simply to hold that it is always right for someone to hold on to those things. Samuel Scheffler, whose reception of Williams's criticism may be its most important philosophical reception, interprets Williams more straightforwardly, as objecting to consequentialism because it typically requires agents to devote attention to their own projects – and other personal goods – only in so far as these projects have value from the impersonal point of view, that is to say, from the point of view in which one has all the goods and evils[2] of all agents simultaneously in view. Scheffler reacts to this criticism by arguing that agents may indeed devote more attention to their projects than consequentialism allows them to. In effect, Scheffler starts with consequentialism and then argues for a

[2] Here, an 'evil' means the absence of a good.

deviation from it: he defends a moral theory that accords moral agents an agent-centred prerogative, that is to say, that permits them to give their own projects a greater weight than these projects have from an impersonal point of view. The justification for according them such a prerogative is, according to Scheffler, that such a prerogative constitutes an evidently adequate way for a moral theory to take into account what is morally important about the fact that human beings have by nature an independent point of view. Scheffler does not give any guidance, however, as to how far one may deviate from doing what is impersonally the best.

We have criticized Scheffler for not explaining which aspects of human nature are of such importance that a moral theory must adequately respond to them, and for not explaining what makes a response adequate. We have argued that even though we start with consequentialism – as Scheffler also effectively does – because there is something to be said for it, deviating from it is at any rate justified if it does not do justice to its own implicit picture of what constitutes the important aspects of human nature. Now, a consequentialist implicitly recognizes that human beings have two kinds of goods before them when they are about to act: impersonal and personal goods, that is, respectively, goods as they are, qua quality and quantity, seen from the perspective in which one has everyone's goods simultaneously in view; and goods as they are felt through a particular human being's own skin and seen through their own eyes. In other words, a consequentialist implicitly recognizes that a human being sees simultaneously that their own death is as great an evil as that of anyone else, and that it is an evil that is very different for the agent, and much greater than that undergone by someone else. However, the consequentialist – who, in terms of the 'impersonal/personal'-terminology, usually requires someone to do that which has better impersonal results than any other possible act – *neglects* personal goods in the requirements made of the moral agent. That is, the consequentialist neglects the fact that someone's own death *is* a greater evil for them than is someone else's death. This neglect is manifestly an inadequate way to react to an important fact about human nature.

It is less clear what would constitute an *adequate* way for a moral theory to take into account the fact that human beings have not only impersonal, but also personal goods before them when they are about to act. Loosely following Thomas Nagel, we have ventured that human beings have two kinds of goods before them when about to act, both of

which are (1) central to us, but which are (2) fundamentally different – in other words, human nature is profoundly split. We continued by arguing that we could not do justice to the fact that both kinds of goods are central if we did not do great impersonal good when we could do so at a small price in terms of personal goods; and similarly, if we did not do great personal good when we could do so at a small price in terms of impersonal goods. However, the fact that the two kinds of worlds are so different, and both central, also generates uncertainties: as soon as acting to further personal goods comes at great expense to impersonal goods, we no longer know whether it should be allowed, and similarly, as soon as acting to further impersonal goods comes at great expense to personal goods, we no longer know whether it should be required.[3] The following two statements summarize some of the most important elements of the position just outlined – which we have called the 'cost-based position'. Firstly, if you can do great impersonal good at small personal cost to yourself, you must do so. Secondly, you may be allowed to avoid acting in ways that bring you great personal evils – but even if you should be allowed to do this, you must in any case avoid these great personal evils in the impersonally least costly way possible.

While this position does not originate with Williams and differs from his view in many respects, it is in line with his position, as I see it, in that it does not categorically require us to act so as to bring our personal goods into great disarray, while at the same time it refrains from saying that we are simply always permitted to avoid acting so that great evils for ourselves would be the result. In fact, this position says that we might have to go beyond doing what we can do at little cost, indeed so far beyond it that we may be permitted not to maximize impersonal goods only if we can avert great personal evils at small impersonal cost. Now obviously there is a great difference between having to do this and having to fight great impersonal evils only when it can be done at little cost to oneself. Can we

[3] To recall: what we ask here is how my behaviour would be judged by someone with an external point of view and taking into account the important things that I have before me when I am about to act. This also explains why we are not *allowed* to neglect impersonal goods, and merely not *required* to neglect personal goods: what someone passes a judgment on from an external point of view is only whether I have dealt well enough with impersonal goods, not whether I have dealt well enough with goods that are only present to me from my own point view. This means that we are never morally required to further personal goods.

add something to bridge this gap? It cannot be ruled out, but it is hard to see what it could be. For, the two kinds of goods that we have before us are both fundamental and so different that it is difficult to say more than that we are not permitted[4] to neglect them, based on a plausible interpretation of what neglecting them amounts to such as: we neglect personal evil if we incur a great personal evil for the sake of a small impersonal good; and, we neglect impersonal evil if we do not take on a small personal evil for the sake of a great impersonal good.

In the third, fourth and fifth chapters we asked whether the cost-based position must be modified or abandoned in the light of certain important criticisms. Where the criticisms come from alternative moral theories, we also asked whether the possibly modified position that we developed could criticize these theories. If not, this position would only be defensive, which would leave one wondering whether it had any edge over alternative theories: whether, so to speak, it would be capable of taking the offensive.

In the third chapter we argued that the cost-based position can be defended against criticisms frequently made by proponents of contractualism, which is *the* major theoretical alternative to consequentialism in current moral philosophy. One such criticism, following T.M. Scanlon, argues that since the cost-based position sees the world, for moral purposes, as a place where there is ultimately only one kind of good, which, in addition, only calls for promotion, it must in the end think about all goods in terms of the model of bouts of pleasure and pangs of pain, or in any case, in a phenomenologically inadequate way. Against this, the defender of the cost-based position can point out that their position to a very great extent allows them to acknowledge the phenomenological data. For instance, it is possible to acknowledge that some goods have a very complex structure, being formed by such things as complicated actions and practices. Another criticism, which we have taken from John Rawls, is as follows: the cost-based view says that the right thing to do is to maximally promote certain goods. Therefore every uncertainty about what is good generates uncertainty about the right thing to do. Consequently, the cost-based position tends to embrace a substantive dominant good, and to do this, Rawls thinks, engenders 'inhumanity and fanaticism'. Against this, it can be

[4] Or, in the case of personal goods: 'are not required'. See the previous note.

pointed out that even if the cost-based view tends to resort to a dominant good, such a good need not be inhumane, since it can include freedom and it need not be thought of in heavily substantive terms. The conclusion to this part of Chapter 3 suggests that certain important criticisms of a cost-based position frequently made by contractualists do not require a revision of the former.

The second part of the third chapter criticizes contractualism. One criticism concerns T.M. Scanlon's contractualist theory, which is arguably the main contractualist general moral theory to date. Scanlon holds that an act is wrong if it is disallowed by a set of principles that no one could reasonably reject for the general regulation of behaviour. He also thinks that I cannot reasonably reject a certain principle if I have weaker objections against it than someone else has against alternative principles. This comparative understanding of which principles can reasonably be rejected has the advantage of guaranteeing that we will always find principles that cannot reasonably be rejected. Nevertheless, we have pointed out that this is not a credible understanding: it is very plausible that I sometimes have objections to a principle that are so strong that I can reasonably reject it, whatever the objections of others to alternatives. A form of contractualism that acknowledges this, such as Thomas Nagel's, is more credible, but we have ventured that it may not take us much beyond the conclusions provided in the second chapter by the cost-based view, if at all. Another criticism that is made of contractualism is that it has a persistent tendency to legitimize the failure to do great good for others when one can do so at little cost to oneself. One of the reasons why contractualist thought persistently tends to legitimate this is that it places a lot of emphasis on reciprocity, much more in any case than the cost-based position, and emphasizing reciprocity can easily and frequently move in the direction of thoughts such as: even if one can do so at little cost to oneself, one does not have to do more than one's fair share in a cooperative scheme which would solve the problem at hand, for example, poverty, if everyone did their fair share. However, the tendency to legitimize the idea that one need not always do great good for others when one can do so at little cost to oneself is problematic even according to a number of prominent contractualist authors, such as Scanlon and Rawls. If, despite these authors' disavowal of this idea, contractualism nevertheless has a tendency to endorse it, the cost-based position has an edge over contractualism in this regard.

The fourth chapter examines further criticisms of the cost-based position which led us to propose some modifications to it. Some of the most important criticisms are: firstly, a position which holds that we might be permitted always to avoid great cost to ourselves seems to imply that we may sometimes be allowed to do harm to others. However, we have argued that these potential permissions are only forthcoming in very extreme circumstances, and that probably they need not make us modify or abandon the cost-based position. For, it was fairly clear all along that the cost-based position had such implications, but they do not change the moral uncertainties generated by the fact that humans have two kinds of essential and fundamentally different goods before them when about to act – and that it is consequently difficult to say which kind of good they should choose when the two conflict. A second criticism flows from the thought that a position concerning what we should do morally must, in order to be plausible, be responsibility-sensitive, that is, it must hold that someone should, other things being equal, do more and obtain less to the extent that that person has behaved badly in the past. The cost-based position, which concentrates on the promotion of goods and is thus exclusively forward-looking, does not seem capable of accommodating responsibility-sensitivity. We have argued, however, that the cost-based position can actually accommodate responsibility-sensitivity in a way that is not completely ad hoc. We could say that while evils call for being fought, the force of the demand is immediately countered by the extent to which the person whom they befall has behaved badly in the past. We could add that to say this is not to resort to ad hoc arguments but to develop what is implicit in the basic inspiration of the cost-based position – that evils that befall people who have acted reasonably well, demand to be fought, but not that those that befall someone who is a great source of evil do. In any case, the criticism concerning responsibility-sensitivity makes for a fundamental revision of the cost-based position: to the extent that I have behaved badly in the past, evils that befall me count less impersonally, and offer me less of a justification for not fighting impersonal evils as best I can.

A third important criticism of the cost-based position is that this position may by definition not allow for friendships because it always permits us to do what is impersonally best, as well as possibly always allowing us to avoid great cost to ourselves, and these permissions may be thought to be by definition incompatible with having friendships. For example, one

may think that a person can only have friendships if they sometimes act in ways that make them incur great costs to themselves – while the cost-based position may allow them to always avoid incurring such costs. This thought may well be correct, but if it were, it would not imply that the cost-based view cannot hold at a fundamental level. It would only imply that it must be modified at a less fundamental level. However, this would still be a modification. If you may be allowed to always avoid great costs to yourself, and if you can, paradoxically, sometimes only avoid such costs by taking them on, then at a less fundamental level the cost-based position implies the following: after you have availed yourself of your permission to avoid these costs, for example, by having a friendship, you may thereafter *have* to act so as to incur great costs.

Chapter 5 investigated whether prominent recent studies implicitly hold important criticisms of the cost-based view. One valuable criticism of the cost-based position, coming from the work of Liam Murphy, is that there is no justification for focusing on what is entailed for a particular agent if they themselves comply with a certain moral theory. Instead, Murphy holds that we must look at what a theory entails for a moral agent when it is complied with by everyone or by most people, including that particular agent. We have answered that Murphy may well be right if all that interests us when we criticize a moral theory are such things as the wellbeing that the theory leaves people with. However, we can be interested in other things as well: we can, for example, also criticize a theory for how it takes account of – or fails to take account of – the fact that there are also personal goods before us when we are about to act. This kind of criticism makes sense, even if we realize that agents are also the 'patients' of the actions of others.

A second criticism comes from Garrett Cullity, who argues that the distinction between impersonal and personal goods, and the moral reasons that these goods generate, does not have any significance for determining what we should do morally for others. He purports to offer an argument that would convince even those who believe that personal goods are morally irrelevant. Cullity's argument leads to the conclusion that the requirements on moral agents to help others are moderate. The argument centrally involves the following thoughts. Extreme positions about how much I must help others maintain that it is wrong to obtain or to keep a great many things. According to Cullity, something that it is wrong for me

to obtain or keep cannot generate pro-tanto requirements[5] on others to help me obtain or keep it. However, many things, says Cullity, obviously generate pro-tanto requirements on others to help me obtain or keep them: it is absurd to deny that they do. Thus, extreme positions about how much I must do to help others have absurd implications and are therefore false. In reply, we argued that those things that it is wrong for me to obtain or keep, *do* in all likelihood sometimes generate pro-tanto requirements on others to help me obtain or keep them. If so, Cullity's argument does not work, and it may not be pointless to appeal to the distinction between personal and impersonal goods and the moral reasons they generate for determining what we should do. Thus, the first part of the fifth chapter ends without providing any grounds for further modifying the cost-based position.

In the second part of Chapter 5 we criticized the positions of the authors discussed in the first part. The thrust of our criticisms was that the positions of these authors ran the risk of denying, or explicitly denied, that one should always do great impersonal good when one can do so at little cost to oneself, and that the reasons that we can – sometimes implicitly – find expressed by these authors and that should justify denying this (or running the risk of denying it), are not convincing. For example, we have criticized Liam Murphy, who holds that one need not take up the slack created by non-compliers in the project of beneficence (which he sees as a collective project). Behind this lies an idea of fairness that is associated with the thought that agents are, precisely, *agents*, and not forces of nature. We objected that this idea neither refers to a good nor could – in a contractualist framework, for example – credibly be offered as a reason for someone not to help. We also criticized Tim Mulgan who writes, among other issues, about a world where all needs are fulfilled and where agents only seek to fulfil their goals, by which he means their chosen pursuits, projects and endeavours. According to Mulgan, rule consequentialism would be a suitable theory for such a world. This theory is a form of collective consequentialism: very briefly, it says that one must act according to the code of rules that would have better results than any alternative if most or all people followed (or internalized) it. This theory takes quite some distance from any actual situation and therefore it runs the risk of denying that one

[5] That is to say, requirements that stand unless they are trumped by stronger considerations that undo them.

must always fight a great impersonal evil if one can, at present, do so at little cost to oneself. Rule consequentialism is sometimes defended by pointing to its intuitive attractiveness, among other things, but such a defence is itself of doubtful attractiveness.

In Chapter 6 we attempted to make the cost-based position more concrete.[6] In the first part of the chapter we proposed a broad outline of a theory of the good, which specifies which goods are great goods, and the lack of which goods constitutes great evil. We have said that someone suffers a great evil if they do not have a real choice from a reasonable number of projects that realize most of their key capacities to some extent, as well as a reasonable amount of money. If they have these things they do not suffer a great evil, or, as we also said, they have an approximately good life. To this it should be added, however, that once a person has embarked on certain capacity-realizing projects, it is often – but not always – necessary for them, if they are not to suffer great evils, to be able to carry on with them.[7] Some arguments for the broad outline of the good life that we have proposed are that it is a non-oppressive, unifying outline that is capable of evoking appropriate concrete images and as such does real work in having us imagine what the good life may look like.

7.1.3 What Rich Individuals Like Us Should Do About Poverty

The most important elements of the position that we have arrived at in this study, are probably the following:

The Central Statement: For acts that are not greatly different with regard to the effect they have on *personal* goods but greatly different with regard

[6] Some of the arguments of Chapter 6 are not mentioned here, but are addressed in section 7.1.3 below.

[7] A further nuance that we have discussed is that when someone experiences a small change (for the better or worse) in having a real choice from a real number of capacity-realizing projects, they do not thereby face another great evil or great good. However, sometimes one will at some point have to refuse some small change for the worse because if one does not there is a great danger of ending up with iteration problems, that is, there is a great danger of ending up with very great costs which mount up in infinitesimal steps. In these cases, taking on a small change for the worse in one's having real choice does imply a great evil for oneself.

to the effect they have on *impersonal* goods, you *must* choose the *impersonally* best one that you can.
The Extreme Statement: If doing a certain act instead of an alternative one makes a great difference to *personal* goods, *perhaps* you *may* always do that act. (However, as already mentioned, for acts that are not greatly different with regard to their effect on *personal* goods but greatly different with regard to their effect on *impersonal* goods, you *must* choose the *impersonally* best one.)

We have seen that the extreme statement, however cautiously it is formulated, deserves its name. Considerations that underline the 'perhaps' that features in this statement have emerged at several points in this study. For one, always to be allowed to avoid great costs to yourself, whatever the price of doing so in impersonal terms – as long as that price is as low as possible – seems the most favourable way for you to deal with the uncertainty that is generated when the two fundamental worlds that you have before you when you act conflict, that is, when you can do a great good of one kind, but at a great price in terms of the good of the other kind. It seems quite plausible that there is something unjustified about the very choosing of the easiest way out. Furthermore, the fact that we are not only agents but also 'patients' of the actions of others, may add 'extra weight' to the impersonal aspect of the dual picture that we have before us. Last but not least, we have ventured that, to the extent that a person has behaved less responsibly in the past, their personal evils will, from an external point of view, count less as a justification for that person not fighting impersonal evils the best way possible, and the evils that befall that person will also count less impersonally. Now most of us – who are often avoidably implicated in structures that cause many impersonal evils and who have often been negligent about doing the very good things for others that we could do at little cost to ourselves – can surely not claim that we have behaved very responsibly in the past.

Why then, if the 'PERHAPS' in the extreme statement should be written in capitals, in other words, if we should probably do more for others than what according to this statement is perhaps enough, have I given it so much attention? The reason is that the statement cannot be written off totally. For a start, we are patients, but we are also agents, and personal goods are one essential part of the dual world that is before us as agents, and their claims for promotion are so clear that it is very hard to

say what I should do indeed if I could fight great impersonal evil but at great cost in terms of personal evils. In such a case, it cannot be ruled out entirely that we may opt for the personal goods – even if our doubts about whether we may do so are reinforced by the realization that this course of action is the most favourable to ourselves. Furthermore, some of us may in the past have behaved very nearly as responsibly as we could, so that someone judging from an external point of view what such people should do for others would give full weight to the fact that they also have personal evils before them when acting. In short: the extreme statement cannot be written off totally – it constitutes the extreme border, the minimum point, such that privileging yourself more than this is absolutely indefensible. Many will opt for the absolute minimum, so it is important to specify what this minimum is. Doing so also shows that most of us are not even living up to this absolute minimum!

At this point I would like to go out of my way to stress three points. Firstly, it is important to repeat that the extreme statement focuses on situations where there is a conflict between great personal goods and great impersonal goods: preserving the one will mean missing out on the other, or the reverse. In making this statement, however, I did not mean to suggest that situations where there is such a conflict are the rule. Fortunately, there are very many things we can do where there is no conflict between what is good for us and what is good for everyone – between greatly furthering personal goods and greatly furthering impersonal goods. We should gain the most out of these cases of non-conflict that is possible.

Still, there are situations where there *is* a conflict. Let us focus again on such situations, and on the fact that the extreme statement does not rule out that it is always morally permissible to act so as to avoid great personal evils. Then it is still likely – and this is the second point – that the implications of this potential permission are less extreme than they may seem at first sight. For, from a position of concern for personal evils, it is often a really good idea for me to enter into an agreement with others which states that I will in certain situations not act so as to avoid great cost to myself if others will also in certain situations not act so as to avoid great costs to themselves.

Thirdly, I would like to stress once again how much trepidation and hesitation the extreme statement evokes. For the reasons indicated above, it is very doubtful indeed – even if it cannot be ruled out *totally* – that we need not do more than this statement says may be enough. Consideration

of our own past behaviour may do most to show just how doubtful it is that we need not do more: who can really honestly say that they are without serious past misdeeds?

After this summary of the general position that this study has defended, let me recall, just very briefly, that this position clearly differs from some important positions in the literature. It differs from the position of consequentialists such as Singer and Unger, as well as from the position of contractualists such as Scanlon and Rawls. It also clearly differs from Scheffler's view, who most importantly defends the notion that one may give a proportionally greater weight to one's own interests than consequentialism allows. I will not go further into the 'what and why' of these differences here – for this would be a repetition of things said above.

What does this general position imply for the question of what rich individuals like us ought to do about poverty? If we ought to fight impersonal evils at least as well as we can without incurring great costs to ourselves, then this would very likely tell us something about what we ought to do about poverty at least in the following circumstances (cf. Chapter 6):

(1) if poverty is associated with some of the worst evils that are to be found on the globe; *and*
(2) if we can fight the evils associated with poverty effectively, and no less effectively than we can fight other great evils.

If both conditions are fulfilled, we must do our utmost against poverty, at least in so far as we can do so without incurring great personal evils. It may be very hard, however, to find out whether these conditions are fulfilled. On the other hand, it is clear that the conditions in which many poor people have to live are often particularly dire (see the Brazilian case[8]), and it is also plausible that we can do some things to fight poverty that are likely to be much better than doing nothing.[9] This takes us some way to-

[8] See section 1.2 above. As we elaborated in section 4.2.3 above, the issue of priority for co-nationals is beyond the scope of the present study. Some might therefore – assuming that they are not Brazilians – feel uncertain whether they can come to conclusions about the Brazilian case. They may instead think of a case that concerns their own co-nationals. I myself do not share their uncertainty, but I have not defended this position in this study.
[9] See section 1.4.2 above.

wards substantiating that we should at least be doing a great deal to fight poverty, as long as we can do so at little cost to ourselves.[10] More generally, we can say that as long as we can do so at little cost to ourselves, we ought at least to be doing a great deal to fight poverty *or* to fight some equally serious evil that we can fight in an effective way.

We have also argued that rich individuals like us can at little cost often do a number of concrete things that may well help to fight poverty. Some of the more important are: giving tithes, living within our ecological footprint,[11] buying many fair trade products, working for structural reform, and, often, voting for a political party with a strong anti-poverty programme. As said, these actions are often good for the poor, and we *must* undertake such actions, at least if they (1) fight very great evils (2) and do so very effectively – and, we may stress, if the actions mean that we do this *as well as we can* at little cost (or, as we have repeatedly said, possibly also at a higher level of cost than little cost). For we are required to push the limits: to seek, at the very least, arduously to do the best we can do at little cost to ourselves.

Against this background, I would think that I *am required to* buy fair trade coffee from Brazil, give my support to endeavours to bring to justice members of death squads that target street children, and to support projects that educate unemployed *favela* youth. It is not as if there are decisive reasons to undertake these actions, rather than buy fair trade bananas from Costa Rica, or act to enhance respect of the human rights of opposition leaders in Zimbabwe, or to further the empowerment of Indian women. Nor, of course, can I support any of these things with my eyes closed: much can be or could go wrong with them (it is not only money transfers that come with risks). However, generally too much is right with such actions to justify me in not supporting them.

[10] It does not take us all the way, because we ought to do the *best* that we can do at little cost. Often, however, it seems best indeed to do what quite effectively fights great evils.

[11] We have defined the ecological footprint as the maximum burden on the environment that would be ecologically sustainable if every individual imposed such a burden.

7.2 Envoi

7.2.1 The Present Study and Beyond

We would finally like to make some very short remarks on what may be one of the most important issues that the present study has not examined: the issue of good institutions. It should be stressed once again: while we have focused on what rich individuals like us should do, we have by no means meant to deny the importance of good institutions. This importance is likely to be very great indeed, among other things because such institutions can reduce the instances where promoting personal goods conflicts with promoting impersonal goods.[12] Correspondingly, the importance of working for institutional reform, among the things that individuals should do, is also likely to be considerable. Besides, many individuals may have positions in institutions that seem to bring with them moral requirements that must be added to those requirements and permissions that apply to rich individuals across the board that have been discussed in the present study.

The many interesting questions about institutions and institutional roles merit entire studies, and we cannot address them here.[13] For us, with the present study drawing to a close, it is appropriate to rehearse for the last time the central statement, which has indeed, as its name suggests, been very central to this study:

The Central Statement: For acts that are not greatly different with regard to the effect they have on *personal* goods but greatly different with regard

[12] Cf. Nagel (1991), e.g. p. 52.

[13] One example of such a question is: Should the state or the government – surely one of the most important institutions – be a consequentialist institution; or should it be a consequentialist institution except for the fact that it privileges, to a certain extent, the great goods of its own people; or the outflow of a Hobbesian contract; or should it be something else still? The second of these four possibilities may be most plausible, but I cannot argue for this here. Another example is: Must government officials always do the best for impersonal goods, or may they also be allowed to avoid great costs to themselves? Perhaps the second possibility is the more credible, but then at least, the state and its officials should make every effort to make scarce those situations where great impersonal goods and the great personal goods of state officials pull in different directions. Again, however, discussing this question is beyond the scope of this study.

to the effect they have on *impersonal* goods, you *must* choose the *impersonally* best one that you can.

Colloquially: if you can do great good at little cost to yourself, you must do so. After recalling this, we can end with the shortest answer.

7.2.2 The Shortest Answer

'The shortest answer is doing the thing.'[14]

[14] This is a quotation, attributed to Ernest Hemingway and George Herbert.

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Samenvatting in het Nederlands

Deze studie gaat over de vraag hoeveel rijke individuen zoals wij tegen de armoede moeten doen. Ik ga ook in op de vraag hoeveel geld wij, moreel gezien, aan armoedebestrijding moeten spenderen, en op de vraag welke beperkingen we ons, vanwege de armoede in de wereld, bij de besteding van ons geld zoal moeten opleggen.

Met 'armen' bedoel ik degenen die de reële vrijheid missen om bepaalde basale dingen te zijn en te doen, zoals veilig te zijn, goed behuisd te zijn, een goede opleiding te volgen, enz.; en 'rijk' noem ik degenen die alle of bijna alle reële vrijheden hebben die de armen ontberen. De vraag wat wij rijke individuen tegen de armoede moeten doen vat ik op als de vraag welk gedrag van ons tegenover de armen, acceptabel zou zijn voor iemand die ons gedrag van buitenaf zou beoordelen. Ik heb het dan over alle rijke individuen en laat buiten beschouwing dat sommigen, omdat zij speciale posities bekleden, extra verplichtingen hebben om iets tegen de armoede te doen. Ik spreek van 'individuen' om aan te geven dat deze studie zich niet richt op wat bijvoorbeeld overheden en andere instituties, zoals multinationals, moeten doen. Dat laat natuurlijk onverlet dat institutionele en structurele hervormingen in de strijd tegen armoede enorm belangrijk zijn. Maar de vraag wat rijken als individuen moeten doen heeft een speciaal belang voorzover het daarbij, voor ieder van ons, om de vraag gaat wat wij persoonlijk moeten doen.

Sommigen zullen zeggen dat wij niets hoeven te doen, om de eenvoudige reden dat we niets aan armoede *kunnen* doen. In de inleiding van het proefschrift betoog ik daartegenover dat we waarschijnlijk wel degelijk iets kunnen doen: er zijn bepaalde vormen van armoedebestrijding die beter zijn dan niets doen en waaraan we een betekenisvolle bijdrage kunnen leveren, en wij zijn als rijke individuen in staat om te achterhalen om welke vormen van armoedebestrijding het hier gaat. Dus we kunnen iets doen. Wat we *moeten* doen, is volgens mij van veel dingen afhankelijk. Zo is natuurlijk van belang wat de meest effectieve manieren zijn waarop we iets tegen armoede kunnen doen. Op de tweede plaats is van belang welke vreselijke dingen waar we ook iets tegen kunnen doen, er nog meer zijn behalve armoede; armoede is niet de enige wantoestand op de wereld. Maar wat allereerst opheldering verdient in dit verband, zijn kwesties zoals: moeten we altijd doen wat voor de wereld als geheel het beste resultaat heeft? Of hoeven we om de wereld te verbeteren alleen maar te doen wat we kunnen doen met geringe kosten voor onszelf? Of hoeven we alleen maar een eerlijk deel bij te dragen in een coöperatief project dat, als iedereen er zijn bijdrage aan zou leveren, toereikend zou zijn om armoede de wereld uit te helpen?

Omdat het belangrijkste deel van het antwoord op de centrale vraag van deze studie – wat wij rijke individuen tegen armoede moeten doen – waarschijnlijk bestaat uit antwoorden op relatief algemene vragen zoals de zojuist genoemde, houdt een groot deel van deze studie zich met belangrijke morele theorieën bezig. Want in die theorieën vinden we de voornaamste antwoorden op zulke relatief algemene vragen.

Met dit als achtergrond wordt in het tweede hoofdstuk onderzocht wat er te zeggen valt voor wat misschien wel de meest intrigerende vooraanstaande morele theorie is, het consequentialisme. Deze theorie beweert dat morele actoren altijd datgene moeten doen wat voor de wereld als geheel de beste gevolgen heeft. In veel situaties, mogelijk ook in de situaties waarin we nu leven, betekent dit dat we heel veel tegen de armoede moeten doen. Ik betoog echter dat veel pogingen om het consequentialisme te verdedigen (zoals we die vinden bij Peter Singer, Peter Unger, Samuel Scheffler, Philip Pettit en Shelly Kagan), niet overtuigend zijn. Maar er is, heb ik geopperd, een geloofwaardige verdediging van het consequentialisme mogelijk, die voor een groot deel zou kunnen steunen (1) op het idee dat, als het erom gaat te bepalen wat we moreel gezien moeten doen, er uiteindelijk maar één soort relevante dingen in de wereld is, die we aan kunnen duiden als 'goederen' oftewel 'waarden' ('kwaden' kunnen dan begrepen worden als het ontbreken van goederen); en (2) op het idee dat er een nauwe – hoewel niet noodzakelijk conceptuele – connectie is tussen 'iets is goed' en 'iets vraagt erom om tot stand gebracht te worden'. Deze ideeën lijken aantrekkelijk, maar een verdediging ervan zou voor deze studie te ver voeren, naar terreinen zoals metafysiek en meta-ethiek.

In het tweede deel van hoofdstuk twee onderzoek ik of het consequentialisme, hoewel het aantrekkelijk is, wellicht toch verworpen moet worden omdat het van de morele actor vraagt om dingen te doen die hem op de een of andere manier teveel kosten. Bernard Williams is een van de voornaamste auteurs die dit soort van kritiek uiten. Ik richt me vooral op Samuel Schefflers receptie van Williams' kritiek. Eén manier om Williams te lezen, zegt Scheffler, is dat hij bezwaar maakt tegen het consequentialisme omdat dat van de morele actor eist dat hij aan zijn eigen projecten slechts aandacht geeft voorzover deze projecten van waarde zijn vanuit een onpersoonlijk gezichtspunt, dat wil zeggen vanuit een gezichtspunt waarin men zicht heeft op alle goederen en kwaden in de wereld tegelijk. Scheffler zelf argumenteert voor een morele theorie die aan morele actoren een zogenaamd actor-gecentreerd prerogatief toekent, dat wil zeggen, die morele actoren toestaat om aan hun eigen belangen een (proportioneel) groter gewicht te geven dan deze belangen hebben vanuit een onpersoonlijk gezichtspunt. De rationale voor een actor-gecentreerd prerogatief is volgens Scheffler dat een theorie met zo'n prerogatief op een evident rationele manier rekening houdt met het mo-

rele belang van een wezenlijk gegeven over de menselijke natuur, namelijk dat personen een onafhankelijk gezichtspunt hebben. Scheffler zegt echter niet, *in hoeverre* we mogen nalaten om datgene te doen wat onpersoonlijk gezien het beste resultaat oplevert.

Ik bekritiseer Scheffler omdat hij niet uitlegt welke gegevens betreffende de menselijke natuur een morele theorie op een rationele manier moet verdisconteren, en ook niet wat maakt dat een bepaalde manier om deze gegevens te verdisconteren, wel of niet rationeel is. Ik betoog dat als we beginnen met een consequentialistische positie (zoals Scheffler in feite ook doet), het in ieder geval gerechtvaardigd is om deze positie te modificeren indien deze geen recht doet aan haar eigen (eventueel impliciete) beeld van de wezenlijke aspecten van de menselijke natuur. Nu erkent een consequentialist impliciet dat mensen, wanneer ze handelen, geconfronteerd worden met twee soorten goederen: onpersoonlijke en persoonlijke goederen, dat wil zeggen, goederen zoals ze zijn vanuit het perspectief vanwaaruit men ieders goederen tegelijkertijd in beeld heeft, en goederen zoals ze zijn voor de betreffende mens zelf: goederen zoals ze zijn, gevoeld door de huid van een bepaald mens en gezien door zijn ogen. Bijvoorbeeld: ook volgens een consequentialist ziet een mens, dat zijn eigen dood enerzijds net zo'n groot kwaad als de dood van iedere willekeurige ander, maar anderzijds en tegelijkertijd ziet hij dat voor hemzelf zijn eigen dood een (heel veel) groter kwaad is dan die van willekeurig iemand anders. Tegelijkertijd echter eist een consequentialist – om het in de terminologie 'persoonlijk-onpersoonlijk' te zeggen – gebruikelijkerwijs van iemand dat hij datgene doet wat onpersoonlijk gezien de beste gevolgen heeft, en zodoende worden persoonlijke goederen door de consequentialist verwaarloosd in de eisen die hij aan morele actoren stelt; en dit is een duidelijk irrationele of inadequate manier om te reageren op een gegeven aangaande de menselijke natuur dat consequentialisten zelf als wezenlijk erkennen. Het is minder duidelijk wat een adequate manier zou zijn om te reageren op het gegeven dat mensen, wanneer ze handelen, niet alleen met onpersoonlijke maar ook met persoonlijke goederen te maken hebben. Vrij naar Thomas Nagel opper ik dat we, als we handelen, de wereld tegelijk op twee manieren zien; twee manieren die fundamenteel verschillend zijn maar beide centraal, namelijk vanuit een onpersoonlijk perspectief en vanuit een persoonlijk perspectief. Aan deze dubbelheid nu zouden we geen recht doen als we het zouden nalaten om een groot onpersoonlijk kwaad te bestrijden wanneer we dat kunnen doen met kleine kosten in termen van persoonlijke goederen. En we zouden er al evenmin recht aan doen wanneer we zouden nalaten om groot persoonlijk kwaad te bestrijden waar we dat kunnen doen met kleine kosten in termen van onpersoonlijke goederen. Zodra het bestrijden van grote persoonlijke kwaden echter ten zeerste ten koste gaat van onpersoonlijke goederen, weten we niet of het geoorloofd is; en evenmin weten we of het bestrijden van grote onpersoonlijke kwaden, zodra dat ten zeerste ten koste

gaat van persoonlijke goederen, verplicht is (in hoofdstuk twee leg ik deze asymmetrie tussen resp. 'geoorloofd-zijn' en 'verplicht-zijn' uit). De volgende twee stellingen vatten de belangrijkste elementen samen van de zojuist geschetste positie, die ik heb aangeduid als de 'kost-gebaseerde positie':

De centrale stelling. Van handelingen die niet erg verschillen wat betreft het effect dat ze hebben op persoonlijke goederen, maar wel wat betreft het effect dat ze hebben op onpersoonlijke goederen, moet je die handeling kiezen die onpersoonlijk gezien het beste is.

De extreme stelling. Als het stellen van een bepaalde handeling in plaats van een alternatief, een veel beter effect heeft op persoonlijke goederen, dan is het *misschien* altijd geoorloofd om die handeling te stellen.

In de hoofdstukken drie tot en met vijf ga ik na, of de kost-gebaseerde positie vanwege bepaalde belangrijke kritiekpunten moet worden bijgesteld of verworpen. Waar die kritiekpunten afkomstig zijn van alternatieve morele theorieën, bekijk ik ook of de (mogelijk gemodificeerde) kost-gebaseerde positie in staat is om deze theorieën te bekritiseren.

In het derde hoofdstuk verdedig ik de kost-gebaseerde positie tegen een aantal punten van kritiek die vaak geuit worden door aanhangers van het contractualisme – hét grote theoretische alternatief voor het consequentialisme in de hedendaagse morele filosofie. (Contractualisten zeggen dat morele regels gerechtvaardigd zijn omdat een groep redelijke mensen die regels zou kiezen als leidraad voor hun interacties.) Eén zo'n kritiekpunt – geïnspireerd op T.M. Scanlon – zegt dat de kost-gebaseerde positie over goederen moet denken alsof het allemaal pleziertjes of pijnen waren, of in ieder geval op een fenomenologisch inadequate manier, omdat zij beweert dat er uiteindelijk maar één relevante soort goederen in de wereld is en meent dat die goederen er uitsluitend om vragen om tot stand gebracht te worden. Maar verdedigers van de kost-gebaseerde positie kunnen antwoorden, dat hun positie heel veel fenomenologische nuances kan erkennen. Zo kan zij erkennen dat sommige goederen een erg complexe structuur hebben, bijvoorbeeld dat sommige goederen bestaan uit complexe combinaties van handelingen, praktijken, enzovoort.

In het tweede deel van het derde hoofdstuk bekritiseer ik het contractualisme. Die kritiek betreft onder andere T.M. Scanlon's theorie, één van de belangrijkste hedendaagse contractualistische theorieën. Volgens Scanlon is een handeling verkeerd wanneer zij verboden wordt door een set principes die niemand redelijkerwijs zou kunnen verwerpen als de basis voor de algemene regulering van gedrag. Nu meent Scanlon dat ik een bepaald principe niet redelijkerwijs kan verwerpen indien ik er zwakkere bezwaren tegen heb dan iemand anders tegen alternatieve

principes heeft. Deze vergelijkende oftewel relatieve opvatting van welke principes redelijkerwijs verworpen kunnen worden, garandeert dat er altijd principes kunnen worden gevonden die niemand redelijkerwijs kan verwerpen. Er kan echter tegen worden ingebracht dat ik soms bezwaren tegen een principe kan hebben die zo sterk zijn dat ik dat principe redelijkerwijs kan verwerpen, ongeacht de bezwaren die anderen tegen alternatieve principes hebben. Een vorm van contractualisme die dit erkent, zoals die van Thomas Nagel, is geloofwaardiger, maar zo'n vorm van contractualisme brengt ons niet veel – of helemaal niets – verder dan de kost-gebaseerde positie.

Een andere kritiek op het contractualisme is de volgende: deze stroming neigt er hardnekkig toe om het soms legitiem te vinden, dat men nalaat iets zeer goeds voor een ander te doen, in gevallen waarin men dat wel kán doen met slechts kleine kosten voor zichzelf. Eén van de redenen waarom contractualistische theorieën hier hardnekkig toe neigen, is dat ze veel nadruk leggen op wederkerigheid, veel meer in ieder geval dan de kost-gebaseerde positie. Dat belang van wederkerigheid suggereert dat, zelfs als men tegen kleine kosten voor zichzelf méér goed kan doen, men geen verplichting heeft om méér te doen dan zijn eerlijk deel in een coöperatief project, dat wil zeggen, het deel dat zou volstaan om het probleem in kwestie (bijv. armoede) op te lossen, als iedereen zijn eerlijk deel zou bijdragen. Maar zelfs volgens een aantal prominente contractualistische auteurs zelf (bijv. Scanlon en Rawls) is het problematisch om na te laten zeer goede dingen te doen die men met geringe kosten voor zichzelf kan doen. Als contractualisme er – ondanks de bezwaren van auteurs als Rawls en Scanlon – toch toe blijft neigen om zulke nalatigheid te legitimeren, dan is de kost-gebaseerde positie hier in het voordeel ten opzichte van het contractualisme.

In het vierde hoofdstuk onderzoek ik nog meer punten van kritiek op de kost-gebaseerde positie, en stel naar aanleiding van die kritiekpunten enkele modificaties van die positie voor. Ten eerste: een positie die beweert dat het mogelijk altijd geoorloofd is om zo te handelen dat we grote kosten voor onszelf vermijden, lijkt te impliceren dat het misschien toelaatbaar is dat we anderen soms vreselijk behandelen. Ik stel daartegenover dat de kost-gebaseerde positie alleen in zeer extreme situaties impliceert dat dit mogelijk toelaatbaar is. En dit is niet voldoende reden om die positie te herzien of te verlaten, omdat meteen vanaf het begin al duidelijk was dat deze positie zulke implicaties had – maar die implicaties doen niets af aan de morele onzekerheden die ontstaan uit het gegeven dat mensen, wanneer ze handelen, met twee fundamentele en wezenlijk verschillende soorten goederen te maken hebben: het is en blijft moeilijk te zeggen voor welk van die twee ze moeten kiezen wanneer de twee conflicteren. Een tweede kritiekpunt komt voort uit de gedachte dat een plausibele morele theorie verantwoordelijkheidsgevoelig moet zijn. Dat wil zeggen dat ze moet erkennen dat iemand – ceteris paribus –

meer moet doen of minder moet krijgen naarmate hij zich in het verleden slechter heeft gedragen. De kost-gebaseerde positie, die het alleen over het bevorderen van goederen heeft en dus uitsluitend vooruit kijkt, lijkt dit niet te kunnen erkennen. Maar ik verdedig dat de kost-gebaseerde positie dit bij nader inzien wel degelijk kan, wanneer zij op de volgende manier wordt gereviseerd: in de mate dat ik mij in het verleden slechter heb gedragen, tellen de kwaden die mij overkomen onpersoonlijk gezien minder, en kunnen zij minder rechtvaardigen dat ik onpersoonlijke kwaden minder goed bestrijd dan ik kan.

In het eerste deel van hoofdstuk vijf onderzoek een aantal vooraanstaande recente studies (Liam Murphy 2000, Tim Mulgan 2001 en Garrett Cullity 2004) die belangrijke kritiekpunten bevatten op de kost-gebaseerde positie. Eén waardevol kritiekpunt komt bijvoorbeeld van Garrett Cullity. Volgens hem is het onderscheid tussen persoonlijke en onpersoonlijke goederen, en tussen de morele redenen die deze goederen genereren, van geen enkel belang om vast te stellen wat we moeten doen om anderen te helpen. Want volgens Cullity kunnen we dat vaststellen met behulp van een argumentatie die zelfs mensen moeten accepteren die geloven dat alleen onpersoonlijke goederen moreel van belang zijn. Cullity's argumentatie – die uiteindelijk uitloopt op matig veeleisende verplichtingen om anderen te helpen – behelst onder andere een verwerping van extreme posities over de vraag hoeveel wij moeten doen om anderen te helpen. Want dergelijke extreme posities zouden volgens Cullity onze ideeën over wat goede redenen zijn om anderen te helpen, op hun kop zetten. Maar ik betoog dat zulke extreme posities dat helemaal niet doen, en dat ze dus niet zondermeer verworpen kunnen worden. Als ik gelijk heb, dan is niet zo duidelijk dat het geen zin heeft om, bij de bepaling van wat wij moeten doen om anderen te helpen, een beroep te doen op de distinctie tussen persoonlijke en onpersoonlijke goederen en op de morele redenen die deze goederen genereren.

In het tweede deel van het vijfde hoofdstuk bekritiseer ik dezelfde auteurs die in het eerste deel van dat hoofdstuk aan de orde waren. Deze auteurs (dreigen te) ontkennen dat men altijd groot onpersoonlijk goed moet doen wanneer men dat kan doen met kleine kosten voor zichzelf, zonder dat ze daar goede redenen voor hebben. Liam Murphy bijvoorbeeld stelt dat iemand die geen klaploper is maar meewerkt in het collectieve project van weldoen niet hoeft op te draaien voor de nalatigheid van anderen die wél klaplopen. Hij baseert deze positie vooral op het idee dat morele actoren precies actoren zijn, en geen natuurkrachten: als ze zouden willen, zouden de klaplopers hun eerlijk deel kunnen doen. Ik stel daartegenover dat Murphy in zijn argument niet verwijst naar een goed en dat hij evenmin een geloofwaardige reden geeft waarmee men aan iemand kan uitleggen waarom men hem niet méér hulp geeft.

De belangrijkste elementen van de positie waar ik in deze studie uiteindelijk toe kom, zijn de zojuist genoemde extreme stelling en centrale stelling.

De extreme stelling, hoe voorzichtig ook geformuleerd, verdient haar naam dubbel en dwars. Verschillende overwegingen onderstrepen het 'misschien' in deze stelling. Allereerst: als ik altijd zo handel dat ik grote kosten voor mezelf vermijd – waarbij ik mij niet laat afschrikken door de prijs die zo'n handelswijze in onpersoonlijke termen heeft, zolang die prijs maar zo laag mogelijk is – kies ik in feite de voor mezelf meest gunstige uitweg uit de morele onzekerheid die ontstaat in geval van een botsing van de twee soorten goederen die ik vóór mij heb als ik handel: wanneer ik groot onpersoonlijk goed kan doen, maar ten koste van groot persoonlijk kwaad, of vice versa. Maar het is goed denkbaar dat het ongerechtvaardigd is om te kiezen voor de makkelijkste uitweg. Ten tweede geeft het feit dat we niet alleen actoren zijn maar ook 'passoren' ('slachtoffers' van het handelen van anderen), mogelijk extra 'gewicht' aan het onpersoonlijke deel van het tweevoudige plaatje (de twee soorten goederen) waarmee we als morele actoren worden geconfronteerd. En niet in de laatste plaats: naarmate een bepaalde persoon zich in het verleden minder verantwoordelijk heeft gedragen, zullen zijn persoonlijke kwaden voor iemand die van buitenaf oordeelt minder gelden als een rechtvaardiging om onpersoonlijke kwaden minder goed te bestrijden dan mogelijk is. De meesten van ons nu kunnen zeker niet claimen dat we ons in het verleden bijzonder verantwoordelijk hebben gedragen. We hebben vaak, terwijl dat te vermijden was, deel uitgemaakt van structuren die veel onpersoonlijk kwaad teweeg brengen, en we hebben erg goede dingen die we met slechts kleine kosten voor onszelf voor anderen konden doen, toch niet gedaan.

Maar waarom heb ik de extreme stelling zoveel aandacht gegeven, als het 'MISSCHIEN' in deze stelling met hoofdletters moet worden geschreven, met andere woorden, als we waarschijnlijk méér moeten doen voor anderen dan wat volgens deze stelling mogelijk genoeg is? De reden daarvoor is, dat deze stelling niet helemaal kan worden afgeschreven. We zijn inderdaad 'passoren', maar we zijn ook actoren, en persoonlijke goederen zijn een wezenlijk deel van de duale wereld waarmee we als morele actoren geconfronteerd worden, en het appèl dat deze goederen doen om bevorderd te worden is zo helder en duidelijk dat er een hele moeilijke situatie ontstaat wanneer ik groot onpersoonlijk goed kan doen, maar alleen met grote kosten in termen van persoonlijk kwaad. In een dergelijke situatie kan niet helemaal worden uitgesloten dat we voor de persoonlijke goederen mogen kiezen – ook al worden de twijfels of dat wel mag, aangewakkerd als we ons realiseren dat deze manier van handelen de uitweg uit een moeilijke situatie vormt die voor onszelf het meest gunstig is. Verder hebben sommigen van ons in het verleden misschien wel degelijk zo verantwoordelijk gehandeld als maar enigszins mogelijk, en voor dezen onder ons zou iemand die van buitenaf beoordeelt wat we voor anderen moeten doen, het volle gewicht geven aan het feit dat

we als morele actoren, wanneer we op het punt staan om te handelen, ook geconfronteerd zijn met persoonlijke goederen. De extreme stelling kan dus niet helemaal worden afgeschreven. Wat deze stelling mogelijk toelaat, vormt de extreme grens, het minimum. Nog minder voor anderen doen is absoluut onverdedigbaar. Veel mensen zullen gaan voor het absolute minimum, en daarom is het belangrijk dit minimum te specificeren. Als we dat doen, wordt ook duidelijk dat de meesten van ons niet eens het minimale doen!

In hoofdstuk zes probeer ik de zojuist geschetste positie concreter te maken door een grove schets te geven van een theorie over het goede leven. Ik verdedig dat iemand geen leven meer heeft dat bij benadering goed is – oftewel dat hij een groot kwaad lijdt – als hij geen reële keuze heeft uit een redelijk aantal projecten die hem in staat stellen om de meeste van zijn kerncapaciteiten tot op zekere hoogte te ontwikkelen. Bovendien moet iemand om geen groot kwaad te lijden beschikken over een redelijke hoeveelheid geld. Enkele argumenten voor deze grove schets van het goede leven zijn dat het een niet-repressieve, unificerende schets is die gepaste concrete beelden kan oproepen en die ons dus naar alle waarschijnlijkheid echt helpt om ons voor te stellen hoe een goed leven er uit zou kunnen zien.

Tegen de achtergrond van de genoemde schets van een goed leven, betoog ik dat wij rijken doorgaans, zonder dat ons goed leven ernstig in het gedrang komt, minstens 10% van ons geld weg kunnen geven; dat we binnen onze ecologische voetafdruk kunnen leven (dat wil zeggen, zó dat we niet meer hulpbronnen gebruiken dan de aarde verdragen kan als iedereen evenveel zou gebruiken); ik verdedig dat we veel fair-trade-producten kunnen kopen; en dat we ons in kunnen zetten voor hervormingen van nationale en internationale structuren en organisaties; en dat we vaak ook, zonder dat ons goed leven daar ernstig onder lijdt, kunnen stemmen op een politieke partij met een krachtig anti-armoede programma.

Het is vaak goed voor de armen als wij de zojuist genoemde dingen doen, en het zijn vaak dingen die we moeten doen omdat we door deze dingen te doen zeer grote kwaden bestrijden op de meest effectieve manier die ons mogelijk is zonder dat ons goede leven ernstig in het gedrang komt. Het zesde hoofdstuk helpt ons zodoende om de vragen te beantwoorden hoeveel geld rijke individuen zoals wij tenminste moeten besteden aan het bestrijden van armoede, en welke beperkingen we, vanwege de armoede in de wereld, in acht moeten nemen bij het uitgeven van ons geld.

Nog concreter zou de positie die in deze studie is verdedigd, leiden tot een volgende soort van antwoord op de vraag wat rijke individuen zoals wij tegen armoede moeten doen: we zijn verplicht om, in ieder geval waar we dat kunnen zonder dat ons eigen goed leven daar ernstig onder lijdt, fair-trade koffie uit Bra-

zilië te kopen, onze steun te geven aan pogingen om tot berechting te komen van leden van doodeskaders die het gemunt hebben op straatkinderen, en om projecten te steunen die zich richten op het opleiden van werkeloze jeugd in favelas (oftewel sloppenwijken). Weliswaar zijn er doorgaans geen beslissende redenen om eerder deze acties te ondernemen dan om bijvoorbeeld fair-trade bananen uit Costa Rica te kopen, of te vechten tegen de schending van de mensenrechten van oppositieleiders in Zimbabwe, of te vechten vóór empowerment van Indiase vrouwen. En natuurlijk mogen we geen enkele van deze acties ondernemen met onze ogen dicht: daarvoor kan er teveel verkeerd mee gaan. Maar toch is er in het algemeen zoveel wél in orde met deze acties dat we ze moreel gezien moeten ondernemen, in ieder geval waar we dat kunnen zonder dat het voor ons een groot kwaad met zich mee brengt. Als we dat ook daadwerkelijk doen, dan leven rijk en arm al iets minder langs elkaar heen dan nu vaak het geval is.

About the author

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